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Samuel Joseph May, D.D., President of the American Unitarian Society, 1847

See List

THE LIFE

OF

GENERAL LEWIS CASS,

WITH HIS

LETTERS AND SPEECHES

ON VARIOUS SUBJECTS.



BALTIMORE:
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TO
GENERAL BENJAMIN C. HOWARD,
OF
MARYLAND,
THE
SOLDIER-STATESMAN,

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INTRODUCTION.

The lives of the public men of our country is the history of the nation, and in all its vicissitudes and trials no one has filled a more conspicuous and honorable position than the subject of the present memoir.

In the language of the veteran Napoleon of the American press, "we know General Cass as a man, and we esteem him. We have seen him for the last three years standing up with all his vigor, and with all his heart, in supporting an administration whose head superseded him four years ago in the votes of the Baltimore Convention. Among the most distinguished statesmen in the land, he has been one of the most decided and the most faithful advocates of an administration which yields to no other in the glory and benefit which it has shed upon its country. If opposition to its measures were to be repelled, Lewis Cass was there to throw himself into the breach. If blows were to be returned, he was there to give them in no stinted measure. If our rights were to be protected abroad, Lewis Cass was there to stand up by the side of a patriotic Executive. If great reforms were to be introduced at home, who more honest and efficient in its support? Faithful and firm as he has proved himself to be, in standing by the friends of the country, he deserves the support of every republican who is friendly to the administration, and devoted to the principles of the Republican party.

In the compilation of this volume, the author has examined various and numerous authorities, and condensed, as far as practicable, the numerous incidents connected with the life of General Cass. He is mainly indebted to "Niles' National Register," "The Congressional Globe," and a series of essays by the Hon. Richard Rush, published in the Richmond Enquirer in the year 1843, under the signature of a "voice from a friend," together with a short biographical sketch contained in the National Portrait Gallery.

G. H. H.

BALTIMORE, *May*, 1848.

CHAPTER I.

Public men, who maintain an elevated rank in popular favor, in a country where their opinions and acts are open to certain scrutiny and free remark, must be possessed of more than ordinary merit. And we believe that we shall have public opinion decidedly with us, when we say, that it has fallen to the lot of few to occupy as various and important stations in the Republic, with so large a share of approbation, as the subject of the present memoir.

General LEWIS CASS was born in Exeter, New Hampshire, October 9th, 1682. His ancestors were among the first settlers of that part of the country, and his father (Major JONATHAN CASS) bore a commission in the Revolutionary army, which he joined the day after the battle of Lexington, and in which he continued until the close of that long and arduous struggle, having participated in the memorable battles of Bunker Hill, Saratoga, Trenton, Princeton, Monmouth, and Germantown. He was afterwards a Major in General Wayne's army. In 1799 he moved with his family to Marietta, but eventually settled at Wackalomoka, in the vicinity of Zanesville, in Ohio, where, after a life of honorable usefulness, he died in August, 1830.

His son, LEWIS CASS, the subject of the present memoir, was educated at the Academy of Exeter, the place of his nativity, and studied law at Marietta, under the late Governor Meigs of Ohio. He was admitted to the bar in 1802, and pursued the practice of his profession successfully during several years.

In 1806, he was elected a member of the Ohio Legislature. When the enterprise of Aaron Burr began to agitate the country, he was appointed on the Committee in the Legislature to which the subject was referred, and drafted the law which enabled the local authorities to arrest the men and boats on their passage down the Ohio. This law, interposing the arms of the State, baffled a project which was generally believed to have been of a revolutionary character, and intended to divide the Western from the Eastern States. The same pen drafted the address to Mr. Jefferson, then President of the United States, which unfolded the views of the Ohio Legislature, on this momentous subject. Few matters in any country ever excited a greater sensation than this. The crime imputed was of the deepest guilt; the accused, a person of the highest eminence both for talents and political station, having but lately occupied the second post, with pretensions to the first, in the country, the Government of which he was charged with a design to subvert. Conspicuous persons were implicated in the supposed plot; and the party violence which marked the period, mingled itself in the opposite opinions which the transactions themselves might naturally create. Public attention was consequently fixed with eager curiosity on every step of the trial, and the counsel, the bench, and the Government, scanned the proceedings with the most inquisitive scrutiny. In exposing the nefarious designs of Burr, Mr. CASS displayed that firmness and civic courage, which has always characterized his public career.

In 1807, Mr. CASS was appointed by President Jefferson, Marshal of the State of Ohio, which office he resigned in 1813. In 1812, he volunteered his services in the force which was called out to join the army under General William Hull, and marched to Dayton, where he was elected Colonel of the third regiment of Ohio volunteers. Having to break through an almost trackless wilderness, the army suffered much on its route to Detroit, and it was necessary that the officers of the volunteers should be examplers in fatigue and privations, lest the men, unused to military discipline, should turn back in discouragement. Colonel

CASS was among the most urgent for an invasion of the Canadian province immediately after the army arrived at Detroit, but General Hull did not cross the river until after the lapse of several days, and thereby lost all the advantages of a prompt and decisive movement. The advanced detachment was commanded by Colonel CASS, and he was the first man who landed, in arms, on the enemy's shore, after the declaration of war. On entering Canada, General Hull distributed a proclamation among the inhabitants, which, at the time, had much notoriety, and was generally ascribed to Colonel CASS; it is now known that he wrote it. Whatever may have been entertained of the inglorious descent from promise to fulfilment, it was generally regarded as a high spirited, eloquent, and patriotic document. Colonel CASS soon dislodged the British posted at the bridge over the Canards. There he gallantly maintained his ground, in expectation that the army would advance and follow up the success, by striking at Malden; but was disappointed by the indecision of General Hull, who ordered the detachment to return.

Proclamation of war was made by President Madison on the 19th of June, 1812, and the following official letter of Colonel CASS proves that in the succeeding month the enemy's advanced posts had been forced by a detachment under the command of that modest and brave officer:

SANDWICH, (UPPER CANADA,) *July 17th, 1812.*

SIR: In conformity with your instructions, I proceeded with a detachment of 230 men, to reconnoitre the enemy's advanced posts. We found them in possession of a bridge over the river Canas, at the distance of four miles from Malden. After examining their position, I left one company of riflemen, to conceal themselves near the bridge, and upon our appearance on the other side of the river, to commence firing, in order to divert their attention, and to throw them into confusion. I then proceeded with the remainder of the force about five miles to a ford over the Canas, and down on the southern bank of the river. About sunset we arrived in sight of the enemy. Being entirely destitute of guides, we marched too near the bank of the river, and found our progress checked by a creek, which was then impassible. We were then compelled to march up a mile, in order to effect a passage over the creek.

This gave the enemy time to make their arrangements, and prepare for their defence. On coming down the creek we found them formed. They commenced a distant fire of musketry. The riflemen of the detachment were formed upon the wings, and the two companies of infantry in the centre. The men moved on with great spirit and alacrity. After the first fire the British retreated. We continued advancing. Three times they formed, and as often retreated. We drove them about half a mile, when it became so dark that we were obliged to relinquish the pursuit. Three privates of the 41st regiment were wounded and taken prisoners. We learn from deserters that nine or ten were wounded, and some killed. We could gain no precise information of the number opposed to us. It consisted of a considerable detachment from the 41st regiment, some militia, and a body of Indians. The guard at the bridge consisted of 50 men. Our riflemen stationed on this side the Canas discovered the enemy reinforcing them during the whole afternoon. There is no doubt but their number considerably exceeded ours. Lieutenant Colonel Miller conducted himself in the most spirited and able manner. I have every reason to be satisfied with the conduct of the whole detachment.

Very respectfully, sir, I have the honor to be,
Your most obedient servant,

LEWIS CASS,
Colonel 3d Regiment Ohio Volunteers.

This expedition (of Hull's) was planned a short time previous to the declaration of war, (April, 1812,) as a measure of precaution and forecast, in order that a considerable force might be placed in the Michigan territory with a general view to its security, and in the event of war, to such operations in the uppermost Canada, as would interrupt the hostile influence of Great Britain over the savages, obtain the command of the lake on which that part of Canada borders, and maintain co-operating relations with such forces as might be most conveniently employed against other parts. Brigadier General Hull was charged with this provisional service, having under his command a body of troops composed of regulars and volunteers from the State of Ohio. Having reached his destination after his knowledge that war had been declared, and possessing discretionary authority to act offensively, he passed into the neighboring territory of the enemy with the prospect of easy and victorious progress. The expedition, nevertheless, terminated unfortunately, not only in a retreat to the town and fort of Detroit, but in the surrender of both, and of the gallant corps commanded by that officer. The sensation produced by this occurrence throughout the United States, and particularly in the Western country, can scarcely be described. So entirely unprepared was the public mind for this extraordinary event, that no one could believe it to have taken place, until communicated from an official source.

In all the timorous and inefficient measures that followed, Colonel Cass had no responsible participation. The singular, inconsistent, and irresolute conduct of General Hull during the whole expedition, soon withdrew from him the confidence of Colonel Cass, and his known disapprobation of the course pursued made him an unwelcome counsellor at head quarters. When the army capitulated on the 16th of August, to General Brock, the commander of the British forces, he was not present, but the detachment with which he was serving, under Colonel McArthur, was included in the capitulation, and being unable to retreat by the impracticable route behind it, submitted, and was embarked for Ohio. Colonel Cass immediately repaired to Washington, and made the following report to the Government :

WASHINGTON, *September 12, 1812.*

SIR: Having been ordered on to this place by Colonel McArthur for the purpose of communicating to the Government such particulars respecting the expedition lately commanded by Brigadier General Hull, and its disastrous result, as might enable them correctly to appreciate the conduct of the officers and men, and to develope the causes which produced so foul a stain upon the national character, I have the honor to submit for your consideration the following statement.

When the forces landed in Canada, they landed with an ardent zeal, and stimulated with the hope of conquest. No enemy appeared in view of us, and had an immediate and vigorous attack been made upon Malden, it would doubtless have fallen an easy victory. I knew General Hull afterwards declared he regretted this attack had not been made, and he had every reason to believe success would have crowned his efforts. The reason given for delaying our operations, was to mount our heavy cannon, and to afford to the Canadian militia time and opportunity to quit an obnoxious service. In the course of two weeks the number of their militia who were embodied had decreased, by desertion, from six hundred to one hundred men; and, in the course of three weeks, the cannon were mounted, the ammunition fixed, and every preparation made for an immediate investment of the fort. At a council, at which were present all the field officers, and which was held before our preparations were completed, it was unanimously agreed to make an immediate attempt to accomplish the object of the expedition. If, by waiting two days, we could have the service of our heavy artillery, it was agreed to wait, if not, it was determed to go without

it, and attempt the place by storm. This opinion appeared to correspond with the views of the General, and the day was appointed for commencing our march. He declared to me that he considered himself pledged to lead the army to Malden. The ammunition was placed in the waggon; the cannons were embarked on board the floating batteries, and every requisite was prepared. The spirit and zeal, the ardor and animation displayed by the officers and men on learning the near accomplishment of their wishes, a sure and sacred pledge that in the hour of trial, they would not be found wanting in duty to their country and themselves. But a change of measures, in opposition to the wishes and opinions of all the officers, was adopted by the General. The plan of attacking Malden was abandoned, and, instead of acting offensively, we broke up our camp, evacuated Canada, and recrossed the river in the night, without even the shadow of an enemy to injure us. We left to the tender mercy of the enemy the miserable Canadians who had joined us, and the protection we afforded them was but a passport to vengeance. This fatal and unaccountable step dispirited the troops, and destroyed the little confidence which a series of timid, irresolute, and indecisive measures had left in the commanding officer.

About the 10th of August the enemy received a reinforcement of four hundred men. On the 12th, the commanding officers of three of the regiments (the fourth was absent) were informed, through a medium which admitted of no doubt, that the General had stated, that a capitulation would be necessary. They on the same day addressed to Governor Meigs, of Ohio, a letter, of which the following is an extract :

“Believe all the bearer will tell you. Believe it, however it may astonish you, as much as if told by one of us. Even a c——— is talked of by the ———. The bearer will fill the vacancy.”

The doubtful fate of this letter rendered it necessary to use circumspection in its details, and therefore the blanks were left. The word “capitulation” will fill the first, and “commanding General” the other. As no enemy was near us, and as the superiority of our force was manifest, we could see no necessity for capitulating, nor any propriety in alluding to it. We there determined, in the last resort, to incur the responsibility of divesting the General of his command. This plan was eventually prevented by two of the commanding officers of regiments being ordered upon detachments.

On the 13th, the British took a position opposite Detroit, and began to throw up works. During that and the two following days, they pursued their object without interruption and established a battery for two eighteen pounders, and an eight inch howitzer. About sunset on the 14th, a detachment of 350 men from the regiments commanded by Colonel McArthur and myself, was ordered to march to the river Raisin, to escort the provisions, which had sometime remained there protected by a party under the command of Captain Brush.

On Saturday, the 15th, about 1 o'clock, a flag of truce arrived from Sandwich, bearing a summons from General Brock, for the surrender of the town and fort of Detroit, stating, he could no longer restrain the fury of the savages. To this an immediate and spirited refusal was returned. About 4 o'clock their batteries began to play upon the town. The fire was returned and continued without interruption, and with little effect, till dark. Their shells were thrown till 11 o'clock.

At daylight the firing on both sides recommenced ; at the same time the enemy began to land troops at the Springwells, three miles below Detroit, protected by two of their armed vessels. Between six and seven o'clock, they had effected their landing, and immediately took up their line of march. They moved in a close column of platoons, twelve in front, upon the bank of the river.

The fourth regiment was stationed in the fort ; the Ohio volunteers and a part of the Michigan militia, behind some pickets, in a situation in which the whole flank of the enemy would have been exposed. The residue of the Michigan militia were in the upper part of the town, to resist the incursions of the savages. Two twenty-four pounders loaded with grape shot were posted on a commanding eminence, ready to sweep the advancing column. In this situation, the superiority of our position was apparent, and our troops, in the eager expectation of victory, awaited the approach of the enemy. Not a sigh of discontent broke upon the ear ; not a look of cowardice met the eye. Every man expected a proud day for his country, and each was anxious that his individual exertion should contribute to the general result.

When the head of their column arrived within about five hundred yards of the head of our line, orders were received from General Hull for the whole to retreat to the fort, and for the twenty-four pounders not to open upon the enemy. One universal burst of indignation was apparent upon the receipt of this order. Those whose conviction was the deliberate result of a dispassionate examination of passing events, saw the folly and impropriety of crowding 1100 men into a little work, which 300 men could fully man, and into which the shots and shells of the enemy were falling. The fort was in this manner filled ; the men were directed to stack their arms, and scarcely was an opportunity afforded of moving. Shortly after, a white flag was hung out upon the walls. A British officer rode up to inquire the cause. A communication passed between the commanding Generals, which ended the capitulation submitted to you. In entering into this capitulation, the General took counsel from his own feelings only. Not an officer was consulted. Not one anticipated a surrender, till he saw the white flag displayed. Even the women were indignant at so shameful a degradation of the American character, and all felt, but he who held in his hands the reins of authority.

Our morning report had that morning made our effective present, fit for duty, 1060, without including the detachment before alluded to, and without including 300 of the Michigan militia on duty. About dark on Saturday evening, the detachment sent to escort the provisions, received orders from General Hull to return with as much expedition as possible. About 10 o'clock the next day they arrived within sight of Detroit. Had a firing been heard, or any resistance visible, they would have immediately advanced and attacked the rear of the enemy. The situation in which this detachment was placed, although the result of accident, was the best for annoying the enemy and cutting off his retreat, that could have been selected. With his raw troops enclosed between two fires, and no hopes of succor, it is hazarding little to say, that very few would have escaped.

I have been informed by Colonel Findlay, who saw the return of the Quartermaster General the day after the surrender, that their whole force, of every description, white, red, and black, was 1030. They had seventy-nine platoons, twelve in a platoon, of men dressed in uniform, many of these were evidently Canadian militia. The rest of their militia increased their whole force to about seven hundred men. The number of the Indians could not be ascertained with any degree of precision ; not many were visible. And in the event of an attack could have afforded no material advantage to the enemy.

In endeavoring to appreciate the motives and to investigate the causes which led to an event so unexpected and dishonorable, it is impossible to find any solution in the relative strength of the contending parties, or in the measures of resistance in our power. That we were far superior to the enemy ; that upon any ordinary principles of calculation we would have defeated them, the wounded and indignant feelings of every man there will testify.

A few days before the surrender, I was informed by General Hull, we had 400 rounds of 24 pound shot fixed and about 100,000 cartridges made. We surrendered with the fort, 40 barrels of powder and 2,500 stand of arms.

The state of our provisions has not been generally understood. On the day of the surrender, he had fifteen days of provisions of every kind on hand—of meat, there was plenty in the country, and arrangements had been made for purchasing and grinding the flour. It was calculated, we could readily procure three months provisions, independent of 150 barrels of flour, and 1,300 head of cattle which had been forwarded from the State of Ohio, which remained at the river Raisin, under Captain Brush, within reach of the army.

But had we been totally destitute of provisions, our duty and our interest undoubtedly was, to fight. The enemy invited us to meet him in the field.

By defeating him, the whole country would have been open to us, and the object of the expedition gloriously and successfully obtained. If we had been defeated, we had nothing to do but to retreat to the fort, and make the best defence which circumstances, and our situation rendered practicable. But basely to surrender without firing a gun—tamely to submit without raising a bayonet—disgracefully to pass in review before an enemy, as inferior in the quality as in the number of his forces, were circumstances, which excited feelings of indignation more easily felt than described. To see the whole of our men flushed with the hope of victory, eagerly awaiting the approaching contest, to see them afterwards dispirited, hopeless, and desponding, at least 500 shedding tears because they were not allowed to meet their country's foe, and to fight their country's battles, excited sensations, which no American has ever before had cause to feel, and which, I trust in God, will never again be felt, while one man remains to defend the standard of the Union.

I am expressly authorized to state, that Colonel McArthur, and Colonel Findlay, and Lieutenant Colonel Miller viewed this transaction in the light which I do. They know and feel, that no circumstances in our situation, none in that of the enemy, can excuse a capitulation so dishonorable and unjustifiable. This too, is the universal sentiment among the troops; and I shall be surprised to learn, that there is one man, who thinks it was necessary to sheath his sword, or lay down his musket.

I was informed by General Hull, the morning after the capitulation, that the British forces consisted of 1,800 regulars, and that he surrendered to prevent the effusion of human blood. That he magnified their regular force near five fold, there can be no doubt. Whether the philanthropic reason assigned by him is a sufficient justification for surrendering a fortified town, an army, and a territory, is for the Government to determine. Confident, I am, that had the courage and conduct of the General been equal to the spirit and zeal of the troops, the event would have been brilliant and successful, as it now is disastrous and dishonorable.

Very respectfully, sir,

I have the honor to be,

your most obedient servant,

LEWIS CASS,

Colonel, 3d Regiment Ohio Volunteers.

The Hon. WILLIAM EUSTIS, *Secretary of War.*

The failure of this expedition struck the friends of the Administration with dismay, while its enemies were mad with ferocious joy, in the double hope of getting into power, and stopping the war. Colonel Cass threw himself into the breach and did more by publications under his name, than any man in the nation, to uphold the Administration of Mr. Madison against the incessant battering-rams with which the Federalists sought to prostrate it under that disaster.

His publications exposed him to fiery denunciations from the Federal press, without parallel perhaps in our country, except in the case of Mr. Madison himself, of whom it was said (and let this go as a sample of its ferocity) "*that every honest man ought to have a whip in his hand to lash the scoundrel around the world.*"

CHAPTER II.

The surrender of Hull left the North Western frontier exposed to the incursions of the British and Indians, and occasioned considerable alarm in the neighboring States. It was not, however, without a consoling effect. It was followed by signal proof that the national spirit rises according to the pressure on it. The loss of an important post, and the brave men surrendered with it, inspired every where new ardor and determination. In the States and districts least remote, it was no sooner known, than every citizen was ready to fly with his arms at once to protect his brethren against the blood-thirsty savages let loose by the enemy on an extensive frontier, and to convert a partial calamity into a source of invigorated efforts. Nearly ten thousand volunteers immediately offered themselves to the Government, and being placed under the command of Brigadier General William Henry Harrison marched towards the Territory of Michigan.

In December, 1812, Colonel Cass was appointed Major General of the Ohio militia; in the following spring he was appointed Colonel of the twenty-seventh regiment of United States Infantry, and soon after, was promoted to the rank of Brigadier General. He joined General Harrison at Camp Seneca, and crossing Lake Erie with him, after Commodore Perry's victory, was present in pursuit of the British and Indian forces under General Proctor, and participated in the triumph at the Moravian towns. At the battle of the Thames, (5th October, 1813,) so decisive in annihilating the enemy in that quarter, expelling him from our territory, and giving security to a vast frontier, and where it was also that the brave Johnson acted so nobly, Cass had no command; but, always devoted to his country; ever burning to serve her in all ways, he solicited a place as volunteer aid to the commanding General. His eager request was granted. Commodore Perry acted in the same capacity, on that day. He was thus associated in a station and in duty, with that renowned naval officer, who, not content with putting Lake Erie in a blaze of glory, by his victory over the British fleet, desired to strike at the foes of his country on both elements. And need we other proof that Cass was to be found where the shot flew thickest? So, literally, it was. He galloped on in time to be in that impetuous charge, led by Colonel James Johnson, which so completely routed Proctor and the British regulars, while Colonel Richard M. Johnson routed and slaughtered the Indians under Tecumseh.

An eye witness, writing some twenty years since, says: "In the autumn of 1813, I well recollect General Cass, of the Northwestern army, commanded by Harrison and Shelby. He was conspicuous at the landing of the troops upon the Canadian shore below Malden, on the 27th of September, and conspicuous at the battle of the Thames, as the volunteer aid of the commanding general. I saw him in the midst of the battle, in the deep woods upon the banks of the Thames, during the roar and clangor of fire-arms, and savage yells of the enemy. Then I was a green youth of seventeen, and a volunteer from Kentucky."

General Harrison's report of the victory, puts Cass and Perry in the same class of merit; and none, surely, could ever be higher. In his letter to Gen-

General John Armstrong, Secretary of War, dated October 9, 1813, he states: "I have already stated that General Cass and Commodore Perry assisted me in forming the troops for action. *The former is an officer of the highest merit, and the appearance of the brave Commodore cheered and animated every breast.*"

The effects of this victory, in which General Cass bore a prominent part, were also as salutary as its achievement was glorious. It put a complete period to the war on the Northwestern frontier, and ended the cruel murders that had been so frequently perpetrated in those regions, in which female tenderness and helpless infancy had been the common victims of savage barbarity. It restored to the Americans all the posts which had been surrendered by General Hull.

General Harrison having now accomplished the object of the expedition—the capture of the British army, and being without orders from the War Department, for his subsequent operations, left General Cass with part of his troops in command of Michigan and the upper province of Canada. His headquarters were at Detroit, and he thus became the military guardian of a people over whom he was soon (October 9, 1813,) called to preside, as civil governor. In July, 1814, he was associated with General Harrison in a commission to treat (at Greenville, Ohio,) with the Indians who had taken part against the United States, during the war. A treaty of pacification was formed, comparative tranquility was restored to the frontiers, and a large body of Indians accompanied Governor Cass to Detroit, as auxiliaries. An interesting anecdote is related of these auxiliaries, who, by their constant attachment to Governor Cass, acquired the sobriquet of "pet Indians." In the fall of 1814, a party of them left Detroit for the purpose of making excursions on the river Thames. After remaining in that neighborhood some days, they collected and took prisoner forty-five of the British militia, among whom was a Colonel. Having kept them a short time, the Indians animated by humanity, permitted their prisoners to return to their homes on their *parole of honor* not to appear in arms against the United States or their allies until legally exchanged, at the same time taking care to detain the Colonel as a hostage for the faithful performance of the contract on the part of the enemy.

About this period, Michigan was left with only one company of regular soldiers for its defence, and that at the time, consisted of twenty-seven men. With this inadequate force, and the local militia, the Governor was, for a time, left to defend the territory against the hostile Indians, who were constantly hovering around Detroit. On the 4th of October, one of the Kickapoo Indians was shot near Cross Isle, by an American soldier while in the act of presenting his gun at one of the party. Colonel James, commander of the British post at Sandwich, forwarded a despatch on the succeeding day, to Governor Cass, notifying him that a murder had been committed by some American soldiers on a poor and unoffending Indian, and stating that it was needless for him to point out the line of conduct necessary on this occasion, or to direct attention to the custom of savages, when one of their number has been murdered. Governor Cass replied, that he would cause an inquiry to be made into the circumstances of the murder, and the perpetrators, if detected, would suffer the punishment which the laws of all civilized nations provide for such an offence; that the allusion to the Indian custom of retaliating upon innocent individuals was unnecessary; that the laws of this country operate with rigid impartiality upon all offenders, and that he was confident that no dread of the consequences would ever induce the courts of justice to punish the innocent or to screen the guilty.

Governor Cass having examined into all the facts connected with the transaction, subsequently wrote to the British commander, that the Indian alluded to was killed while in the attempt to shoot an American soldier; that the act was committed within the territorial jurisdiction of the United States, and a British officer had consequently no right to require, nor ought an American officer to

give any explanation upon the subject ; that our country did not acknowledge in principle, nor will ever admit in practice, the right of any foreign authorities to interfere in any arrangement or discussion between us and the Indians living within our territory ; that if an Indian is injured in his person or property within this territory, our laws amply provided for the punishment of the offender, and the redress of the party injured.

The British authorities of the western district of Upper Canada, chagrined at the manly firmness and determination of Governor CASS, immediately issued a proclamation offering a reward of five hundred dollars for the apprehension of the murderer.

As soon as this fact became known to Governor CASS, he issued his proclamation requiring all persons, citizens of the Territory of Michigan, or residing therein, to repel by force, all attempts which may be made to apprehend any persons within the Territory or waters under the jurisdiction of the United States, by virtue of the proclamation of the British authorities, or of any process which may issue from any authority other than that of the United States or Michigan.

The principle set up by the British authorities of taking cognizance of alleged offences committed within the limits of the United States, was too absurd to admit of a moment's dispute. It was altogether unwarrantable. It struck directly at our national sovereignty. The pompous interference of his majesty's agents in behalf of his old allies, in a matter which did not concern them, was designed to give the untutored savages exalted ideas of the friendship, the power, and the dignity of the British government—to make that government appear as the avenger of their wrongs. Governor CASS met the application with becoming dignity and patriotic spirit. He would suffer no interference of a foreign power, with questions coming within the American jurisdiction. He would suffer no American citizen to be transported to his majesty's dominions for alleged crimes committed within the American territory.

In 1815, after the termination of the war, Governor CASS moved his family to Detroit. Michigan had suffered greatly during the war ; Detroit exhibited a scene of devastation. Scarcely a family, when it resumed its domestic establishment, found more than the remnants of former wealth and comforts. Laws had become silent, and morals had suffered in the general wreck ; and it required great prudence and an uncommon share of practical wisdom, to lead back a people thus disorganized, to habits of industry and order. The civil government was established, and such laws enacted as could be most easily carried into effect. The legislative powers being placed in the hands of the Governor and judges, rendered it a delicate task to aid in the enactment of laws which were to be enforced by the same will ; but it was performed with decision and enlightened discrimination.

The Indian relations were likewise adjusted throughout the western frontier ; war had ruptured or weakened every tie which had previously connected the tribes with our Government. By decisive, but kind measures, the hollow truce which alone existed, was converted into a permanent peace ; and they returned, by degrees, to their hunting grounds and usual places of resort, with a general disposition to live in amity and quiet.

During the same year, Governor CASS was associated with General McArthur, to treat with the Indians, at Fort Meigs. The northwestern part of Ohio was acquired at this time. The following year, he was engaged in the same duties at St. Mary's, to carry into effect, with certain modifications, the treaty of Fort Meigs, and for the acquisition of land in Indiana. In 1819, he assisted in the treaty held at Sagano, by which large relinquishments were obtained from the Indians in Michigan. In all these negotiations, Governor CASS acted on the principle of frankness and reciprocity.

Two events occurred this year in Michigan, which gave a new aspect to her hopes and promises of prosperity. One was, the privilege of electing a delegate to Congress; the other was, the sale of public lands within the territory. No one exerted himself with more zeal to effect these improvements, than Governor CASS, as he was convinced that the introduction of the elective franchise among the people would elevate their political character; and that, by the sale of the public land, the population of the territory would increase, and its prosperity advanced.

In 1820, an expedition was planned by Governor Cass, under the sanction of Mr. Calhoun, then Secretary of War, the object of which was to pass through Lake Superior, cross the country to the Mississippi, explore the sources of that river, and establish an intercourse with the Indians on that extensive route. The party combined persons of science, who were capable of ascertaining the physical character of the country, and of making an instructive report, among whom were Mr. Schoolcraft and Captain Douglass, of the corps of Engineers. A preliminary object was to inform the Indians of the Sault de St. Marie of the intention of the Government to establish a military post at that point, and to determine the site. On his arrival there, Governor Cass assembled the Indians, and made known the object in view. Being under the influence of a chief who was notoriously disaffected toward the United States, they heard the proposition with evident ill-will, and broke up the council with every appearance of hostile intentions. They returned to their encampment, immediately transported their women and children over the river, and raised a British flag, as if in token of defiance. Governor Cass at once adopted the only course suited to the emergency. Taking only an interpreter with him he advanced to the encampment, and pulled down, with his own hands, the Anglo-savage flag, directing the interpreter to inform the Indians that they were within the jurisdiction of the United States, and that no other flag than theirs would be allowed wave over it. Having given this bold and practical rebuke, he returned to his party, taking with him the flag, and leaving the Indians to further reflection. The moral influence of this opportune and seemingly perilous step was immediately seen; new overtures were made by the Indians, which led to an amicable and satisfactory adjustment. Mr. Schoolcraft, in his scientific and interesting journal of that expedition, relates that Governor Cass "walked coolly over to the lodge of the daring, turbulent, and hostile chief, hauled down the British flag, and put his foot upon it; thus vindicating in an instant the American honor and supremacy by the terror he inspired, though he did so at the risk of his life.

In 1821, the services of Governor Cass were again brought into requisition by the Government, to assist in another treaty, to be negotiated at Chicago. He embarked at Detroit, in a birch canoe, ascended the Maumee, crossed into the Wabash, descended that river to the Ohio, went down the Ohio to the Mississippi, and descended that and the Illinois to Chicago. By the treaty formed there, all the country in Michigan, not before ceded, south of Grand river, was acquired.

In 1822, the first Council of Michigan met. This body relieved the Governor and judges of their legislative duties, and gave the Government of the territory a more republican form. Governor Cass' messages to the Councils, convened under his Administration, were always written in a chaste and dignified style; indeed, all the public documents that came from his pen, while Governor of the territory, may be regarded as good specimens of Executive composition, and exhibit a highly cultivated literary taste. But his literary reputation rests on a broader and more appropriate basis than his gubernatorial writings.

In 1823, Governor Cass concluded an arrangement with the Delaware Indians by which they ceded some valuable tracts on the Muskingum, in Ohio.

In 1825, he proceeded to Prairie du Chien, where, in conjunction with Governor Clarke, a treaty of general pacification was concluded among the North-westerly tribes. In his tour of 1820, Governor Cass had observed that one abundant source of contention among the Indians arose from uncertain or undefined boundaries. To remove this cause, as many as practicable of the tribes were collected at this time, in order to ascertain, by tradition and custom, and establish, by general consent, the limits of each dominion. Much difficulty attended this negotiation, as each tribe apprehended a diminution of its own power and an increase of its neighbor's. But the objects of the treaty were, in part, attained. A common acceptance of certain geographical or other known boundaries was obtained. The beneficial results of this important treaty will be accruing with each coming year. Although many may dissent from the terms of the treaty for a time, yet lines of separation, defined with so much solemnity, and by such general consent, will at last be appealed to as decisive, and become unalterably fixed. War will still prevail, but border contests, the most inveterate and sanguinary, may be appeased.

Sometime in the year 1825, John Dunn Hunter's narrative of the "Manners and Customs of several Indians tribes located west of the Mississippi," appeared, which, at the time, attracted much attention. Governor Cass, in the course of his tours through the West, had satisfied himself that this work was an imposture. In determining to expose it to the world, his mind was led to dwell on the ample subject of Indian character, language, and condition, and he wrote the article which appeared in the fiftieth number of the *North American Review*, (January No., 1826.) The subject was full of interest, and written in a style uncommonly earnest, chaste, and eloquent; and the public was gratified to learn that a theme so interesting and important, had engaged the attention of so cultivated and liberal a mind. Another article of his, being a review of Beltrami's work, an Italian who attached himself to Colonel Long's expedition in 1823, and presenting the aborigines under new aspects, appeared in the fifty-fifth number of the same periodical, (April No., 1827.) This article, which was altogether of a historical and statistical character, attracted equal attention with its precursor.

In the year 1823, Governor Cass again traversed Lake Superior, to fulfil the benevolent purposes of the Government. A treaty was held at Fond du Lac with those tribes who were too remote from Prairie du Chien, to have met there. The great object of these treaties was to remove the causes of contention between the tribes, as the limits of each dominion. Colonel Thomas L. McKenney, who was associated with Governor Cass on this occasion, has given a lively and picturesque account of the excursion in his late work, entitled "*Memoirs, Travels, and the Wrongs and Rights of the Indians.*" Another treaty was concluded on the Wabash, on their return from Lake Superior, by which the Indians ceded a large tract of land in Indiana.

In 1827, treaties were negotiated at Green Bay and at St. Joseph's; Governor Cass was an agent in both. On his arrival at Green Bay, instead of finding the Winnebagoes, who were to have been parties in the negotiation, he learned that they were collecting in hostile bodies, for the purpose of waging war against the whites. With his usual promptitude, he adapted his course to the emergency. Embarking in a birch canoe, he ascended the Fox river, crossed the Portage, and had partly descended the Wisconsin, when he perceived an encampment of Winnebagoes on its banks. To show his confidence in them, he landed alone and approached the wigwams; but the Indians refused to hold any communication with him. After much fruitless endeavor to conciliate he returned towards his canoe, when a young Indian snapped his rifle at his back. Whether the piece was loaded, and missed fire, or the act was an empty, but significant token of enmity, is not known.

Governor Cass pursued his course down the river, reached Prairie du Chien, and found the settlement there in a state of extreme alarm. A large boat on the Mississippi had been attacked by a numerous band, and escaped capture only by a gallant but bloody defence; and a whole family had been murdered and scalped, on the skirts of the village. Having organized the inhabitants in the best manner, for their own defence, there being no garrison there at the time, he descended the Mississippi to St. Louis, where the means of defence were to be obtained; and at his suggestion a large detachment of United States troops was moved up the river in time to prevent further bloodshed. In the meantime Governor Cass returned to Green Bay in the same canoe, by the way of the Illinois river and Lake Michigan, having made a circuit of about eighteen hundred miles with unprecedented rapidity. His celerity of movement, and the alacrity with which the United States troops seconded his call, probably averted a war that might have embraced the whole Northwestern frontier. A negotiation followed, which restored tranquility. The apparent violence offered to him by the Indian on the Wisconsin, is the only instance of that nature which had occurred during his long and intimate intercourse with the Indians.

In 1828, another treaty was held by him at Green Bay, and another at St. Joseph's, by which a cession was procured for Indiana. In these various treaties, Governor Cass was instrumental in acquiring for the United States, and rescuing from the wilderness, for the great agricultural purposes of the country, many millions of acres of land; and in a manner which ought to leave no consciousness on his mind, that he has aggravated the lot of a single tribe of Indians.

Sometime in 1828, a historical society was formed in Michigan, of which Governor Cass was elected the President. He delivered the opening address before it in 1829. This address, embodying the early history of Michigan, brings it down to the period when the United States came into possession of it. Its publication excited a spirit of research and inquiry, which has already produced the most beneficial results.

In 1830, Governor Cass was invited by the Alumni of Hamilton College, New York, to deliver an address at their anniversary meeting. He accepted the invitation, and in the address which he delivered, displayed an affluence of reading and reflection, which proved his habitual acquaintance with most of the departments of human knowledge. From that college he subsequently received the honorary degree of L. L. D. He had previously been admitted an honorary member of the American Philosophical Society, in Philadelphia; of the New Hampshire, Rhode Island, and Indiana Historical Societies; of the American Antiquarian Society; and the Columbian Institute.

In July, 1831, Governor Cass resigned his office as Governor of the Territory, after having administered it for eighteen years. When he began his administration, he found the country small in population, without resources, and almost sunk under the devastations of war. He left it with a wide-spread population, and thriving with unprecedented prosperity. He has gone along, almost step by step, with that immense portion of our country beyond the Alleghanies, which, since he came into life, has grown into an empire of civilization of itself. This auspicious condition may not all be attributed to executive instrumentality; but an administration, impartial, vigilant, pervading, and intelligent, may be fairly supposed to have shed a happy influence on all around.

CHAPTER III.

On the first of August, 1831, General CASS was called by General Jackson to fill the responsible post of Secretary of War, made vacant by the resignation of General Eaton. He was unanimously confirmed by the Senate on the thirtieth of the ensuing December. While in that department, his diligence is known to have been unabated; and in handling questions of great magnitude and delicacy, his course commended itself to the approbation of the whole nation. Many questions of general and permanent interest, and of vital importance to the country, some involving the fundamental principles of the Constitution were presented for discussion. In their progress they cast upon the Government a heavy responsibility, and great trouble and labor, and were watched with a jealous solicitude by the whole community, which was divided in opinion respecting the points involved in their solution. Happily, by the wisdom and firmness of the patriot then at the head of the Government, and by the good sense of the nation, they passed away, without leaving behind them any effects injurious to our institutions.

The War Department of all others, is burdened with a multitude of private claims. Not merely the business of the army proper, in its whole range of distance and service, but contracts and occurrences of endless variety and number, under stated agencies or special acts of Congress, embracing Indian affairs and other interests, clearing out of rivers and harbors—erecting breakwaters and other works, with everlasting claims for extra labor, and other things not in the contracts, surveys, national roads, militia claims from the States, pensions—all these, with the business they create, are only part of what falls on the Secretary of War, as his province, to look after and settle. In most cases of this nature, it probably seems to the individual interested, that his case is quite clear—he wonders anybody can doubt—it only requires to have the papers looked at, to be allowed and paid at once. This he honestly thinks, perhaps, and so talks, not, however, omitting complaints of the indecision and want of firmness of the Secretary of War. But not so does the Secretary of War think himself. To his mind, most probably, the cases are not so very clear. Perhaps he remembers what Lord Chancellor Eldon is reported to have said, when the London journals were saying that he was too slow in coming to his decisions—one of them remarking, that it was as easy to decide most of his cases, as upon the difference of black and white. “Yes,” said the old Chancellor, “if they were black *or* white; but I find most of them *gray!*” So it was with General CASS. He probably found the most of his cases no easier to decide off-hand, than this eminent Judge; but, on the contrary, calling for careful investigation, to do justice between the Government and the parties. This, to the impatience of the latter, may have looked like indecision; and it is no wonder, if occupied, also, with duties more primary, because more national, amid the great complication and variety of those that press upon the War Department, he could not always find the time he may have wished for those private cases, and thus have left a portion of them unsettled on leaving the Department, as his predecessors have done before, and as his successors always will.

Governor CASS presided over the War Department for above five years, and it would be no short work to recount all that he did while there, of public importance and value. We will, however, present those more prominent specimens, from which the well-judging will make the right inferences, as to his talents and principles.

In 1832, the hostile incursions of the Sac and Fox Indians on the Northwestern frontier, necessarily led to the interposition of the Government. General CASS, in his annual report of that year to Congress, recommended, in view of these repeated and unprovoked aggressions, a more efficient organization of our militia as essential to that security which is one of the principal objects of all govern-

ments. He opposed the maintainance of a large regular force, as history afforded us too many lessons of the fatal results of a large standing army. Its obvious tendency was to engage us in unnecessary wars, and ultimately to endanger public liberty. Our principal dependence for protection should be upon the great body of the citizens of the Republic. If war should come upon us, our regular force should be increased to an extent proportioned to the emergency, which would form a nucleus, around which the militia force could be formed and embodied.

The system so wisely adopted and so long pursued, of constructing fortifications at exposed points, and of preparing and collecting the supplies necessary for the military defence of the country, and thus providently furnishing in peace the means of defence in war, was continued with unabated vigor under the administration of General Cass.

The controverted question respecting the relative rights of the Cherokee Indians and the State of Georgia, excited much attention. The difficulties were greatly augmented by the Supreme Court of the United States, confirming the Cherokees in their notion of independence, within the orbit of State authority. The ability and discretion of General Cass were signally displayed on that occasion, in luminous, powerful, and irrefragable arguments against the doctrine of the Supreme Court, from which he dissented, not as a factionist resisting authority, or as a seiolist unable to comprehend it, but as a patriot, a jurist, and a scholar. The policy of the Administration prevailed, and the Secretary of War had been its efficient, and, well may I add, its learned and enlightened expounder and defender. Congress appropriated five hundred thousand dollars for the removal of the Indians from Georgia, Alabama, and other States, to a territory west of the Mississippi, without the limits of any State or organized territory, and belonging to the United States. The Indians were removed, under every humane care, to places better fitted for their homes; the high claim of Georgia to be sovereign within her own borders, was fully vindicated against those disorganizing counter-principles, subversive of the first elements of civilization that would have denied it; and with such an approving voice did the people of Georgia regard the conduct of General Cass, that the Legislature of that State unanimously named a county after him, which, since its creation has been noted for its undeviating adherence to the Republican cause.

The subject of nullification now more seriously engrossed the attention of the country. The Nullifiers asserted that the Federal Constitution was a compact originally formed, not between the people of the United States at large, but between the people of the different States, as distinct and independent sovereignties; and that when any violation of the letter or spirit of that compact took place, it is not only the right of the people, but of the State Legislatures, to remonstrate against it; that the Federal Government was responsible to the people whenever it abused or injudiciously exercised powers entrusted to it, and that it was responsible to the State Legislatures whenever it assumed powers not conferred. The Convention of South Carolina assembled on the 19th of November, 1832, and passed an ordinance which declared, that "all the acts of Congress imposing duties on imported goods, more especially the laws of May 19th, 1828, and July 14th, 1832, to be null and void within the State of South Carolina." The Governor was authorized by the Legislature of the State to call out the militia to resist any attempt on the part of the Government of the United States to enforce the revenue laws.

These proceedings on the part of the State of South Carolina, brought on an issue between the State and Federal Governments that could not be neglected. The very existence of the Government depended upon its decision. A single State had set at defiance the authority of the General Government, and declared that no umpire should be admitted to decide between the contending par-

ties. The federative principle of the Constitution, and the whole authority of Congress and of the federal judiciary, were put in issue by this question, and, however unwilling the leaders might be to destroy the Union, still experience had too clearly shown the difficulty of restraining an excited people, not to create apprehension as to the result of these efforts to throw off the authority of the General Government.

At this crisis, the watch-tower of this Republic was tenanted by one whose lofty patriotism attracted unbounded confidence, while from his stern presence and inflexible purpose the efforts of intimidation, clamor, or blandishment, withdrew, defeated and unavailing. The "old hero" felt that there was no room for hesitation, and determined at once to come to an issue with the Nullifiers; to place the powers of the Government upon the broad ground that the federal judiciary was the only proper tribunal to decide upon the constitutionality of its laws; and to enforce the revenue acts with an entire disregard to the pretended rights of sovereignty which were assumed by the State of South Carolina.

With that view the Secretary of War was ordered to assemble all the disposable military force of the United States at Charleston. The revenue laws, under the protection of the forces of the General Government, were carried into effect without any opposition by violence, and no attempt was made to enforce the laws under the ordinance of the State Convention.

Upon this important question, General Cass shared, with pride, the manly, vigorous, and triumphant resistance by which the usurpations of South Carolina were encountered and finally prostrated. His correspondence upon this subject was forbearing, conciliatory, and scrupulously mindful of State rights, and in all other respects was highly dignified and appropriate. It is not too much to say of it, that it comes well up to the models of our foremost statesmen, being much like that of Mr. Madison in the *Olmstead* case, when resistance was threatened to a law of the United States in Pennsylvania, and advanced to the eve of consummation.

A difficulty with Alabama, at another time, presented a menacing aspect. Under an obligation, the United States had contracted, by treaty, to prevent intrusion upon lands that had belonged to Indians within that State, until they could be removed. Emigrants, nevertheless, entered upon the lands; and, under differences to which this led, the State and Federal authorities were upon the point of collision. It was happily warded off, and the public documents attest the union of energy and prudence in General Cass throughout the whole exigency. His appropriate, cogent, and lucid correspondence abundantly upheld the rights and dignity of the State, yet threw over the Indians the shield to which the laws of the Union entitled them.

During these portentous periods, the military orders were firm, but discreet, and it appeared by a message from the President, in answer to a call upon those subjects, that *no order had been at any time given to "resist the constituted authorities of the State of South Carolina, within the chartered limits of said State."* The orders to General Scott informed him that, "*Should, unfortunately, a crisis arise, when the ordinary power in the hands of the civil officers should not be sufficient for the execution of the laws, the President would determine the course to be taken, and the measures to be adopted; till then he was prohibited from acting.*"

In relation to the dangers of a collision with the authorities of Alabama, we quote the following extract of a letter from the War Department, written by General Cass, to Major McIntosh, and dated October 29, 1833:

"SIR: Your letter of the 21st instant, to Major General Macomb, has been laid before me; and, in answer, I have to inform you that you will interpose no obstacle to the service of legal process upon any officer or soldier under your command, whether issuing from the Courts of the State of Alabama, or of the

United States. On the contrary, you will give all necessary facilities to the execution of such process. It is not the intention of the President that any part of the military force of the United States should be brought into collision with the civil authority. In all questions of jurisdiction, it is the duty of the former to submit to the latter, and no considerations must interfere with that duty. If, therefore, an officer of the State, or of the United States, come with legal process against yourself, or an officer or soldier of your garrison, you will freely admit him within your post, and allow him to execute his writ undisturbed."

In 1836, General Cass left the War Department. It is well known that he enjoyed the full confidence of General Jackson, who was anxious he should retain his seat in the Cabinet till the expiration of the Administration. But his health having been broken down by official labors, he could not remain, and he retired, with the decisive proofs of the good feeling and satisfaction of the President. One was a warm letter, thanking him for his services, and expressive of the kindest sentiments towards him personally; and the other was the mission to France, to which he was appointed.

Upon the resignation of General Cass, as Secretary of War, the opponents of the National Administration were loud in their denunciations against him. Some unscrupulous partizans charged that he retired reluctantly, and that General Jackson was desirous of getting rid of him; while others alleged that he was destitute of decision and afraid of responsibility. Strange ideas! As if General Jackson would have called to the head of the War Department a man of this description, or have retained him a day after his quick insight into men had discovered any such deficiencies, which could not have escaped him had they existed, and not only retained him, but retained the fullest confidence in him to the last, of which there is abundant proof. Furthermore—as if his whole life did not contradict it—his long Western and frontier service, so full of stirring and perilous incident—his efficient share in concluding, while Governor of Michigan, more than twenty Indian treaties, in regions, and under circumstances, peculiarly calling for decision of character, and involving responsibility—and by which he obtained for his country territory of great value and extent—as if these things, not to repeat the abundant evidences of a prompt and resolute spirit in all his public and private acts, were not at war with such ideas.

An impartial historian, in alluding to General Cass, at the time he held the important post in General Jackson's Cabinet, stated that "In the important station which he now holds, his sphere of usefulness is enlarged, and none of his predecessors ever enjoyed a greater share of public confidence. Strict and punctual in his business habits, plain and affable in his manners, with powers of mind which grasp, as it were by intuition, every subject to which they are applied—united to various and extensive acquirements."

CHAPTER IV.

In September, 1836, General Cass was appointed, by General Jackson, Minister Plenipotentiary and Envoy Extraordinary to the Court of St. Cloud. No one has ever questioned the ability with which he performed the whole range of high duty, direct and incidental, attaching to that responsible and honorable post, at that conspicuous Court. During his residence there, arose the question of the Quintuple Treaty, one of the most portentous subjects which has ever threatened our honor or interest. England, from professed philanthropic, but from really interested motives, was seeking to establish a new principle of maritime police, by which she could search the vessels of all nations traversing the ocean. By

persevering efforts she had obtained separate treaties with various Powers of Europe, some great and some small—for nothing is too high or too low for human ambition—by which the right of search was granted. She then said, through her Secretaries, Lord Palmerston and Lord Aberdeen, that as she could not execute these treaties without searching the vessels of all nations, to ascertain to which they belonged, she should assume that right, and stop and board the vessels of the United States wherever they might be found. And to give more moral weight to her pretensions, she projected another treaty with the four great Powers of Europe, embracing in it the right of search, and intended to make it the law of the ocean. The treaty was signed before public attention was turned to it, but fortunately it was not ratified; and it was of vital importance to the United States, and all other Powers interested in the freedom of the seas, that it should not be ratified by France. It was, of course, well known, that from the nature of their Governments, the ratifications of Russia, of Austria, and of Prussia, would not be withheld. But France, being a constitutional monarchy, and public opinion operating powerfully there upon the Administration, it was hoped the nation might be induced to act upon it, through the Chamber of Deputies. And it was obvious, from the maritime state of the world, that if France could be withdrawn from this confederacy, no new principle of public law could be created, to which she and the United States should refuse their sanction. A quintuple treaty would be dangerous; but a quadruple treaty would be without the least effect or influence. To produce, therefore, this result, was an object of the highest importance; and the American Minister at Paris, finding himself without instructions from his Government, had to depend upon his own resources, and to act upon his own responsibility. His operations were twofold: first, to operate upon public sentiment, and then directly upon the Government. His pamphlet upon the right of search, was the measure he adopted to effect the first object, and his formal protest, (written February 13, 1842,) against the French ratification of the treaty, the second. The pamphlet was published in English, in French, and in German, and was distributed throughout Europe. Its effect is well known. The appeal, by protest, to the French Government, was successful. That paper has been published, and no doubt very generally perused. It is a document truly American. The rights of our country are upheld with a proper resolution. While it is sufficiently respectful, it plainly warns the French Government of the position it will occupy if it sign the treaty. It remarks upon the moral effect which the treaty is intended to produce upon the United States, and observes, that it is not to be presumed that the five Powers meditate a direct attack upon their independence. "But," it continues, "were it otherwise, and were it possible they (the United States) might be deceived in this confident expectation, that would not alter, in one tittle, their course of action. Their duty would be the same, and the same would be their determination to fulfill it. They would prepare themselves, with apprehension, indeed, but without dismay—with regret, but with firmness—for one of those desperate struggles which have sometimes occurred in the history of the world, but where a just cause and the favor of Providence have gained strength to comparative weakness, and have enabled it to break down the pride of power."

The patriotic course of General CASS naturally exposed him to the bitterness of the anti-slavery fanaticism of the several countries of Europe, more especially in England, where the fanaticism has the whole press as its organ, and other organs besides, even to defamatory Peers in Parliament, whose audience is Europe and the world, as well as Britain. It also provoked the matchless wrath of Lord Brougham. That powerful, though prejudiced and passionate Peer, and furious abolitionist—that "universal busy-body and intermeddler of the age"—beheld in the sound reasoning and statesmanlike tone of the protest,

death to his hope of seeing perfected the ever-famous Quintuple Treaty. Had that high-handed league reached its consummation, new, and a peculiarly effective vigor would have been imparted to the principle of universal abolition, the undoubted root of the league, of which Lord Palmerston's instructions to the English Minister in Portugal, distinctly avowing England's determination to persevere in her plans of suppressing the slave trade, until *slavery itself* was extirpated from the world, is the proof. What an avowal! What an attack does it not involve on the domestic institutions of independent nations? Even the English Ambassador at Constantinople, Lord Pousonby, in writing to his Government, was forced to shrink back from a principle so monstrous. How highly, then, ought not the people of the United States to estimate this service in General Cass?

In the able pamphlet referred to "On the Right of Search," General Cass holds the following language: "We are no slaveholder. We never have been. We never shall be. We deprecate its existence in principle, and pray for its abolition everywhere, where this can be effected justly and peaceably, and safely for both parties. But we would not carry fire and devastation, and murder, and ruin into a peaceful community, to push on the accomplishment of the object. But after having visited three quarters of the old continent, we say before God and the world, that we have seen far more, and more frightful misery, since we landed in Europe, *and we have not visited Ireland yet*, than we have ever seen among this class in the United States. Whatever may be said, there is much of the patriarchal relation between the Southern planter and the slave. And as to the physical distress which is seen in Europe, resulting from a want of food, and from exposure to a rigorous winter, without adequate clothing, we believe it to be so rare, as not to form a just element in the consideration of this matter. But the subject of the emancipation of two millions and a half of human beings, living among another population, of different race and color, and with different habits and feelings, is one of the gravest questions which can be submitted to society to solve. It can be safely left only to those who are to be so seriously affected by it; and there it is left by the Constitution of the United States. It is a matter with which the General Government has no concern."

"And so with respect to the slave trade. It is a traffic, which can be traced back to the time of Jacob, whose son was sold in Egypt; and down, in some form or other, during the successive ages, which have intervened, to the last century, when by treaty arrangements with Spain, England obtained, as a great commercial favor, the privilege of supplying the Spanish colonies with slaves, and to the present, when, after many years of bitter opposition, the English Parliament voted the abolition of the slave trade; but when some of the greatest names in England were found in the minority, viz: The Duke of Clarence, afterwards William the Fourth, Lords Thurlow, Eldon, Liverpool, and Sidmouth. These statesmen, by their votes, not only pronounced the slave trade to be legal and expedient, but *moral* also, so far as that consideration formed, at that time, a motive of legislative action. That it is illegal, by the great code of public law, no statesman, nor publicist, or well informed man will seriously contend. Thanks to the advancing opinions of the age, its atrocity is generally acknowledged, and the obligation of Christian States to extirpate it, almost every where felt and obeyed. But it is not permitted, in order to attain a great good, to commit a great evil. In order to break up this traffic, to break down the barriers which centuries have been rearing, and by which the weak are every where protected against the strong, the peaceful against the warlike. The law of nations is but general opinion, illustrated by able jurists, and sanctified by time, and by universal acquiescence. Touch it rudely, and the whole fabric will disappear, leaving the nations of the world, in their mutual relations, as they existed in the most barbarous ages."

In reply to the accusations of the British authorities, that the failure of the Quintuple Treaty to meet with the approbation of the American Government, was tantamount to the refusal on their part to co-operate in suppressing the slave trade, General Cass continues, "But the United States refuse no such co-operation. They have interdicted, as we have seen, this trade to their citizens, and have provided exemplary punishment for the transgressors. They have, for many years, kept a squadron upon the coast of Africa to aid in its suppression, and they are now making arrangements for its augmentation. * * * * * But after all, what kind of philanthropy is that which seeks, not merely to put down the African slave trade, but to put it down by the employment of one means among many, and which means, if persisted in, as threatened, will as surely involve two great nations in war, as to-morrow's sun will rise upon both? And who can tell the issue of such a war, not merely to the parties themselves, that we shall not touch, but to the civilized world? Who can tell the question of maritime right, which will arise during its progress, and of maritime wrongs, which will be inflicted? Who can tell how soon its sphere will be enlarged, and the oppressions of Africa be lost sight of in the struggles of Europe and America?"

"It is strange indeed, but so it is, that one of the modes proposed for the liberation of the negro, from the traffic of his flesh and blood, will, necessarily lead to the bondage of the American seamen, where his flesh and blood are not indeed sold, but where they are taken without price, and may be swept away by the cannon of his own country. 'When they doubted, they took the trick,' words which all Americans should grave upon their hearts. We may safely appeal to any generous Englishman and Frenchman, and ask, what would be their sensations, if told, '*Yes, we do seize your citizens, we will seize them; when we doubt, we take the trick.*' Let each answer for himself; and that answer will disclose the feelings of the Americans; for this *trick* is a man—an American citizen. By and by, after *law shall have worked its way far enough*, the *trick* may become a French citizen; and what sort of a struggle will come when that step is taken?"

"But should the United States yield to this claim, what security is there for them, or for nations like them, interested in the freedom of the seas, that it would not be followed by another and another pretension, till the British flag rode triumphant over the waters of the earth? How far is to be pushed this crusade of benevolence, which would involve East and West in one common calamity, in order to attain, in its own way, an object which must come, and that speedily? There are significant signs abroad, that this is but the commencement of a system, destined to a wide extension, already the project has been publicly discussed in England, of putting a stop to slavery, by putting a stop to the sale of its products. It has been supported in the journals, and advocated, we believe, in Parliament. The scheme has not yet ripened into a plan."

"Even if England were clearly right, as in our opinion she is clearly wrong, she might forbear much, without any imputation upon her honor. She has won her way to distinction by a thousand feats in arms, and what is better title to renown, by countless feats in peace. Triumphs of genius, of skill, of industry, and of enterprise, which have gained her a name that the proudest may envy, and that few can hope to equal. She has given birth to an empire in the West, an empire whose extent and duration it passes human sagacity even to conjecture. There are planted her laws, her language, her manners, her institutions. A thousand ties of interest unite these kindred people. Let England cherish this as her most glorious work. *But let her recollect, too, that a spirit, equal to her own, animates the Republic, and though she may be crushed, she will not be dishonored.*"

These extracts will plainly show the character of the pamphlet, and exhibit how instrumental General Cass was in putting down a conspiracy or confeder-

acy of European potentates, against the rights, interests, and sovereignty of our country on the ocean. He performed the service on his own estimate of duty. By the exercise of talents of the first order, at the right moment, such as a great general will sometimes seize for deciding a campaign, and perhaps the destinies of a nation, he broke up one of those dangerous confederacies among Emperors and Kings, to defeat which, is supposed, in the history of states, to call for the full interposition of national influence and authority, and is rarely, if ever, effected without it—seldom *with* it, unless broken to pieces by arms. The honor of General Cass is therefore as signal as the service he rendered.

The London Times, the leading Tory journal of England, in announcing the publication of the pamphlet, said: "It is a shrewd performance, written with some spirit, much bold assertion of facts, and a very audacious unfairness of argument, which is rather amusing, when contrasted with a certain tone of gentlemanly candor, which is occasionally adopted even in the very act of performing some of his most glaring perversions."

An American, writing from Europe, in March, 1842, says: "General Cass has hastily prepared a pamphlet setting forth the true import and dangers of this treaty. It will be read by every statesman in Europe, and, added to the General's personal influence here, will effectually turn the tables on England. The country owes the General much for his effectual influence with this Government."

The mischief that lurked in this Quintuple Treaty must not be passed by. The whole eastern coast of America, south of the thirty-second degree of north latitude, came within its gigantic sweep, no vessel of the contracting parties could ever have been approaching Charleston, or Richmond, or New York, with a cargo from any part of the world, south of Savannah, or have been going from any of these ports to any part of the world, south of Savannah, without risk of being searched for slaves by British cruisers, the voyage stopped, and the vessel ordered to some British court admiralty for adjudication. Incredible as this may seem, the words of the treaty prove it. The space for British search, comprehended more than seventy degrees of latitude. It might have been exercised upon all the vessels as above, in the very Gulf of Mexico itself, going to or from New Orleans. What a blow to our commercial interests was therefore warded off? What a door foreclosed against British dominion upon the seas—and against her anti-slavery fanaticism, working upon the seas, that it might do its work more thoroughly and quickly upon the land. Here is the key to Lord Brougham's rage—the defeat of that portentous treaty by the talents, sagacity, and patriotism of General Cass. His attack upon him is without a parallel, since Wedderburn's attack upon Dr. Franklin. It exceeded that in outrage, as Franklin was not then the representative of an independent nation.

Strange to say, General Cass was both exposed to indignity and injustice from his own Government for the noble part he acted in France. The proof is on record, or we might want faith in such a charge. It is contained in the correspondence between Mr. Webster and himself, carried on mainly after his return from France; but never was retribution sooner brought about, as far as the parties were concerned, though the public will not soon forget to what an extent great principles were forgotten in the treatment General Cass received. His own victory over Mr. Webster was complete. No two judgments can differ about this—the *whole* correspondence being read. Let me give a single specimen. It forms an item in our political history, memorable and instructive, considering the distinguished actors in the scene.

General Cass had objected to the eighty gun squadron clause of the Ashburton treaty, that it had no provision renouncing the British claim to search our vessels for slaves. Hereupon the Secretary of State, mounted upon stilts. He says, in reply, What! ask *renunciation* by treaty, of an unjust pretension! No,

I knew too well what I was about; the nation doing that, would weaken its own cause; it would be like asking a treaty stipulation, not to destroy our towns in time of peace, or to abstain from any other enormity; the United States stand upon their own rights and power in all matters of that sort; they ask, they want no treaty stipulations—*hie*, Mr. CASS, I should have thought better things of you; O, *hie*. Such was the purport of the *official* rebuke, and note the *italics*.

Now hear General CASS. He rejoins: *You* talk so; *You*, Mr. Webster; *you*, who in this very negotiation wanted Lord Ashburton to go into the question of IMPRESSMENT! *You*, who urged him to it, contrary to his wishes and known determinations; *you* who made him write about it, and would write yourself, although *he* did not desire to write; *you*, who wanted an express TREATY STIPULATION, yes, a RENUNCIATION, at this day of our power, against renewals of THAT outrage, an outrage (horror of horrors) for which, thirty years ago, we made her answer with her blood!! *You* assume superior spirit and sagacity; *you* put on superior patriotism, *you* talk of treaty stipulations.

Such, in effect, was the retort. Justice cannot be done to its language. The whole correspondence should be read, in order to appreciate its merits. In acknowledging the letter that contained it, Mr. Webster remarked, that he had “hastily glanced at one or two of its first pages, but would peruse it more carefully; and if he thought there was occasion, he would write to him again.” *But he never wrote again*. The whole letter had a power of right reason in it, and right feeling, which it was impossible for Mr. Webster, with all his admitted and great ability, to answer. Silence was his only refuge. To this, there could be no objection; but with signal injustice to General Cass, his letter was treated as *private*. It was not put upon the files, and therefore not published by the Government, although Mr. Webster’s letter, which had so justly provoked this overwhelming retort, *was* published, nor was it the only letter of the General’s not comprehended in the Government’s publication of this remarkable and exciting correspondence. The distinguished “Sage of Lindenwald” was not treated worse when the Senate rejected him as Minister to England, than General Cass was treated by the Government on getting back from the French Mission. Mr. Van Buren had rendered no illustrious service in England, as General Cass had done in France, no opportunity having been afforded him.

Where Mr. Webster was, and what doing, when England was lowering her proud flag upon the ocean, to our stars and stripes, as an atonement for the unequalled outrage of impressment, a *renunciation* of which, *by treaty*, he begged from Lord Ashburton, without getting it, the public documents could tell, and the journals of Congress expose his moral treason. Where General Cass was, and what doing, our history can also tell, and tell with nothing but advantage and glory to him.

Yes, in arresting the ratification of the Quintuple Treaty, General Cass rescued his country from *search*, and all its high-handed evils, apparent and hidden—thus rendering her incalculable good. Against *impressment*, he was the first to use his sword victoriously, in a war undertaken to avenge it—vanquishing the enemies of his country, who had perpetrated that outrage upon us, as he vanquished, with his pen, the distinguished Secretary of State, who fell fast asleep, and permitted all his sensibilities to grow cold over the same outrage.

Soon after General CASS entered upon his ministerial duties, he was called up to vindicate the course of conduct pursued by General Jackson’s administration, in the prosecution of the Florida War. At the court martial convened at Frederick, Maryland, for the trials of Generals Scott and Gaines; General Clinch, in his testimony, charged him with neglecting to make adequate preparations for the defence of Florida, upon his representations, during the progress of the difficulties with the Seminole Indians, and for some time after the com-

mencement of hostilities. This unfounded charge and gratuitous assault, met with a severe rebuke at the hands of General CASS. In his letter, dated Paris, 6th of March, 1837, after fully vindicating his conduct, he concludes: "with these reflections and statements, I leave the charge of General Clinch to the judgment of the American people. If they think that the incapacity, or misfortunes, or dissensions of military commanders are to be visited upon my head, I have only to submit with as much resignation as may be. But I hope better things from the impartiality of my countrymen. I have received, during a public life of more than thirty years, many favors I neither expected nor merited. I am encouraged to hope that when I ask only rigid justice, I shall not be found a vain suppliant."

CHAPTER V.

General CASS possesses stores of knowledge beyond mere politics. This is attested by various productions from his pen. It would be but common place to say, that the mind imbued with letters has a better groundwork for statesmanship, than the one whose only food is current politics. Where it is eminently practical, also, as with General Cass, we have materials for statesmanship of the first order. It was a fine remark of Baron Humboldt's, when in the United States, (the great traveller and author, of whose renown in Prussia the lamented Wheaton, our late Minister to that country, has informed us,) who, after spending a day with Mr. Jefferson, while President, said: that he had "never before seen so much power united, in one man, with so much knowledge;" adding, "how advantageous to the world is such a union." Gratifying tribute to our great Republican leader from so high a source! As we have not yet produced a second Jefferson, let us cherish the men who would imitate him in his intellectual cultivation, as well as political opinions. The liberalizing influence of letters, is well calculated, in a country where political passions are so fierce as in ours, to soften the asperity of strife, and stop party from running into extremes. As the spheres of duty increase with such men, new and higher qualities are ever apt to be developed. So it was with General Cass, when transferred from the home service to the Court of France, where he was enabled, by mental powers, highly improved and disciplined, to analyze and expose the mischiefs of one of the most deeply laid schemes against the maritime liberties and commercial interest, as well as, ultimately, against the domestic institutions of his country, that could possibly have been engendered by mingled craft, ambition, and fanaticism, in the Cabinets of Princes.

It has been whispered and shrugged by some of the political opponents of General Cass, that during his residence at the Court of France, he was a little of a courtier. General Cass a courtier! *He* who was wont to paddle his birch canoe on the Wisconsin, Mississippi, and Lake Superior; *he*, who has worn his hunting shirt in company with the buffalo, cut his piece of venison rib from the stake, and roasted it in the woods; the identical Lewis Cass who was soused in Sciota Salt Creek, saddle-bags, horse, blanket and all, when a young fellow practising law in Ohio and western Virginia, and afterward regaled himself on his supper of bears' meat; and who, at a later day, as Governor of Michigan, often went through scenes akin to these; that he, the same mortal man, should, at this time of day, turn courtier, sounds, to say the least, a little odd! Lynchas was transformed into a rock, Lotis into a tree, and the eyes of Argus into a peacock's train; but the strangest metamorphosis of all, would be General Cass into a courtier. He cannot be made out to be a courtier, while Minister in France, any more than when he was succeeding, by sterling

sense and sagacity, in negotiating good treaties for his country with the Indians. A man of his mould knows how to deal with the most refined people, as with the red men of our forests.

His work entitled "France, its King, Court, and Government," is celebrated for the variety of its anecdotes, descriptions, and reflections. There is not a line in it adverse to the rightful preference of the Government of his own country over all other forms, but just the contrary, again and again. A large part of it, is devoted to personal anecdotes of Louis Philippe and his family; and perhaps it is in the commendation which the writer so liberally bestows in these quarters, that may have started the notion—of courtier.

We must not suppose, republicans as we are, that there can be no merit on the throne; least of all, where the incumbent in this instance may be said to be a self-made man in some respects, schooled in that school which has raised more men into greatness than any other—misfortune. General Cass could not but foreknow that this work, in all probability, would, in some way or other, come under the eye of Louis Philippe when in print. He, therefore, did well to carry commendation as far as the truth would permit, as well as describe, in colors as attractive as they would bear, those court scenes which his taste as a gentleman may have led him to admire in the Royal palaces of France, where official propriety obliged him to give his attendance; those same palaces, in one of which Burke, some fifty years ago, beheld a dauphiness of France, "just above the horizon, glittering like a star." Jefferson had been in those beautiful scenes at the French Court, and knew the same dauphiness which Burke has described in such splendid diction, and in such a spirit of romantic chivalry. Instead of conduct like the above springing from any courtier-like motive in General Cass, it should be carried to another and very different account—to that of sagacity in serving his country. Every Minister at a foreign Court performs a duty of no slight import in endeavoring, in all ways fit and honorable, to excite towards, himself personal good will and esteem, on the part of the Government and Sovereign where he resides. It tends to give him a power; and who can undertake to say how far General Cass' success in propitiating the good will of the French Court, throughout its royal members, may have been among the causes which enabled him to turn France aside from her first purpose of co-operating with the great powers of Europe in the dangerous work to his country of the Quintuple Treaty.

In one of the pages of the volume referred to, we have a very prognostic remark respecting the late French King, where it is said, after describing the necessity he was once under of carrying his own baggage on his back from the head of Seneca Lake to Toga Point, on the Susquehanna, while travelling in our country, that "the load was no doubt heavy," but, perhaps, "*not so much so as the burden he now bears.*" Subsequent events have proven that he has fallen beneath the overburdened weight. In his notice of Napoleon, he concludes with a happy illustration of the charm which bound his soldiers to him: "I have been more powerfully improved than ever," says the General, "since my arrival in France, with the prodigious force of Napoleon's character, and with the gigantic scope, as well as the vast variety of his plans. I have often questioned the old military veterans of the Hotel des Invalides, those living remains of Jena, and Wagram, and Austerlitz, and a hundred other fields, respecting him; and it was easy to see, by their sudden animation, and by their narrative, how proud they were to recount any little incidents which had connected them with him. His visit to their guard fire, and his acceptance of a piece of their campaign bread, constituted epochs in their lives, to be lost only with the loss of reason or existence."

General Cass' account of the campaign at New Orleans, during the war of 1812, published before he went to France, is a beautiful piece of historical composition. Thoroughly distinct and analytical, it is glowing also in thoughts

and style, yet free from exaggeration on a subject tempting to it ; while it does ample justice to the glorious achievements of that campaign, and to the great "military genius" of America, who planed and so triumphantly carried it through.

His address delivered at Fort Wayne, Indiana, on the 4th of July, 1843, on the completion of the Wabash and Erie Canal, is a masterly production, which, for rich reflections on the genius of our institutions, in comparison with those of the old world, might have warmed the heart of Jefferson himself. The single remark in it, that the pyramids "*tell no tale but the old tale of oppression,*" is beautifully characteristic. Bonaparte exclaimed, at the battle of the pyramids, "Soldiers ! remember that twenty centuries are looking down upon you." This was very fine, but denoted the conqueror warming up his men to a new victory. General Cass' remark denoted the republican sage. It was Jeffersonian, by its classic brevity and truth.

In the same address, alluding to our differences with England in relation to the Oregon territory, he says : "Perhaps, while I address you, measures are in progress to wrest from us our territory west of the Rocky Mountains. Island after island, country after country, is falling before the ambition of England. She is planting her standard wherever there is a people to be subdued, or the fruits of their industry to be secured. With professions of philanthropy, she pursues the designs of ambition. And she is encircling the globe with her stations wherever she can best accomplish her schemes of aggrandizement. It is my deliberate opinion, that no nation, since the fall of the Roman power, has displayed greater disregard for the rights of others, or more boldly aimed at universal dominion. Our claim to the country west of the Rocky Mountains is as undeniable as our right to Bunker Hill or to New Orleans ; and who will call in question our right to these blood-stained fields ? And I trust it will be maintained with a vigor and promptitude equal to its justice. War is a great evil, but not so great as national dishonor. Little is gained by yielding to insolent and unjust pretensions. It is better to defend the first inch of territory than the last. Far better in dealing with England to resist aggression, whether of territory, of impressment, or of search, when first attempted, than to yield in the hope that forbearance will be met in a just spirit, and will lead to an amicable compromise. Let us have no red lines upon the map of Oregon. Let us hold on to the integrity of just claim. And if war comes, be it so."

The concluding portion of the address is very thrilling and eloquent : "We come here to rejoice together. Memorable deeds make memorable days. There is a power of association given to man, which binds together the past and the present, and connects both with the future. Great events hallow the sites where they pass. Then returning anniversaries, so long as these are remembered, are kept with sorrow or with joy, as they were prosperous or adverse. To day a new work is born—a work of peace, and not of war. We are celebrating the triumph of art, and not of arms. Centuries hence, we may hope that the river you have made, will flow East and West, bearing upon its bosom the riches of a prosperous people, and that our descendants will come to keep the day, which we have come to mark, and that, as it returns they will remember the exertions of their ancestors while they gather the harvest. Associations are powerful in the older regions of the eastern continent, and strongly affect the imagination. They belong, however, to the past. Here, they are strong and vigorous, and belong to the future. There, hope is extinct, and history has closed its record. Time has done its work. Hence, we have no past ; all has been done within the memory of man. Our province of action, is the present—of contemplation, the future. No man can stand upon the scene of one of those occurrences which has produced a decisive effect upon the fate of nations, and which history has rendered familiar to us from youth, without being withdrawn

from the influence of the present, and carried back to the period of conflict, of doubt, and of success, which attend some mighty struggle. All this is the triumph of mind, the exertion of intellect, which elevates us in the scale of being, and furnishes us with another and purer source of enjoyment. Even recent events, around which time has not gathered its shadows, sanctify the places of their origin. What American can survey the field of battle at Bunker Hill, or at New Orleans, without recalling the deeds which will render these names imperishable? Who can pass the islands of Lake Erie, without thinking upon those who sleep in the waters below, and upon the victory which broke the power of the enemy, and led to the security of an extensive frontier? There no monument can be erected, for the waves roll, and will roll over them. But he who met the enemy and made them ours, and his devoted companions, will live in the recollection of the American people, while there is virtue to admire, patriotism or gratitude to reward it."

"I have stood upon the plain of Marathon, the battle field of liberty. It is silent and desolate. Neither Greek nor Persian is there to give life and animation to the scene. It is bounded by sterile hills on one side, and lashed by the eternal waves of the Egean sea on the other. But Greek and Persia were once there, and that dreary spot was alive with hostile armies, who fought the great fight which rescued Greece from the yoke of Persia."

"I have stood upon the hill of Zion, the city of Jerusalem, the scene of our Redeemer's sufferings, and crucifixion, and ascension. But the sceptre has departed from Judah, and its glory from the capital of Solomon. The Assyrian, the Egyptian, the Greek, the Roman, the Arab, the Turk, and the Crusader, have passed over this chief place of Israel, and have left it of its power and beauty. Well has the denunciation of the prophet of misfortunes been fulfilled, when he declared that "the Lord had set his face against this city for evil, and not for good," when he pronounced the words of the Most High, "I will cause to cease from the city of Judah, and from the streets of Jerusalem, the voice of mirth and the voice of gladness, the voice of the bridegroom and the voice of the bride; for the land shall be desolate."

In 1842, General Cass was invited by a number of his friends of Danville, Pennsylvania, to be present with Col. Richard M. Johnson, at a celebration of the anniversary of the battle of the Thames. He forwarded to the Committee of Invitation, the following reply:

PARIS, *September 17, 1842.*

"GENTLEMEN: It is only to-day I have received your invitation to be present at the anniversary celebration of the battle of the Thames, at Danville, on the 5th of October next; and this circumstance must be my apology, should my acknowledgement of the favor not reach you till after the occurrence of that day.

"It would afford me pleasure to meet my old associates in arms, upon that occasion which it is intended to celebrate, who defeated the British and Indian forces upon the Thames, and restored security to the northwestern frontier. And it would be equally pleasant to join them in tendering to our fellow-citizens our thanks for this kind recollection of past services, and in interchanging with them congratulations upon the advance which our country has made in all the elements of power and prosperity since that period. But as I am deprived by distance and by the shortness of time, of that satisfaction, I must content myself with wishing all the pleasure, which such a commemoration can yield, both to those who give it and to those to whom it is given. I trust, however, I shall soon be enabled to terminate my European residence, and to return to the United States. The ratification of the recent treaty with Great Britain, the news of which, has this day reached us, having removed all apprehensions of immediate difficulties, I have felt that my further residence here was unnecessary, and

by this conveyance I have requested to be relieved from the mission, and have asked permission to return home. Presuming there can be no objection to this measure, I hope to reach the United States by the beginning of December.

"Expressions of public gratitude by commemorations like that you design to celebrate, are the noblest reward which an American citizen can receive for any services he may be called upon to render in defence of his country. The late war was forced upon us by the injustice and ambition of a foreign power. We should have forfeited our own self-respect, as well as the good opinion of the world, had we not met injuries by resistance, and defended by arms the most precious attributes of our independence. The energy of the Government and the spirit of the country proved equal to the crisis; and we can now look back with pride to the victories at New Orleans, and upon the Thames, and Niagara, and to many other splendid feats of arms, by land and water, where American prowess was displayed, and the American character vindicated. Certainly these appeals to force, by which nations assert their own rights, and too often attack those of others, are deeply to be deplored. But, however we may regret them, come they must and will. And woe to the people who are not prepared to meet them. Little is gained by receding. National honor had better be defended when first attacked. This, I am sure, is the sentiment of our country. I sincerely hope that no occasion will occur for its practical demonstration. But we must put our trust in our own energy and in our state of preparation, and not in the justice or forbearance of foreign powers. And if the contest should come, I trust we shall draw wisdom from the past, and uniting in danger, as we are united in interest, prove to the world that our institutions, which secure to us in peace a greater measure of happiness than any nation before enjoyed, are equally efficacious in war for the defence of our honor and independence.

"I am happy to see by your invitation that Colonel Johnson, who contributed so powerfully to the success of the battle of the Thames, will be present at the commemoration. I believe I am the oldest surviving officer in rank who was in that action. It has pleased Providence to take from the nation, under peculiarly afflicting circumstances, our commanding general. He would have been ready, had he lived, to render the full tribute of applause to your distinguished guest from Kentucky, for he was always generous to the services of others. But as he is taken from us, were I present, it would gratify me to perform this duty. For I accompanied, but without any share in the direction of its operations, the mounted regiment in the charge which decided the fate of the combined forces, and I saw the gallant commander lying bleeding upon the ground desperately wounded, at the head of the line. But fortunately he needs not this testimony, for his actions are part of our history, and his worth is acknowledged by his countrymen.

"If this letter should reach you before the festival has passed, and should the occasion be proper, you are at liberty to present it in any way you may think appropriate."

CHAPTER VI.

We have already enumerated the important services rendered by General CASS during his mission to France. The state of his private affairs requiring his presence at home, and the difficulties with England having been adjusted, on the 17th of September, 1842, signified his intention of returning home. The paramount reasons which induced General Cass to pursue this course are ex-

pressed in the following extracts from letters to Mr. Webster, the Secretary of State :

"It is unnecessary to push these considerations further ; and in carrying them thus far, I have found the task an unpleasant one. Nothing but justice to myself could have induced me to do it. I could not clearly explain my position here without recapitulation. My protest of 13th February distinctly asserted that the United States would resist the pretensions of England to search our vessels. I avowed, at the same time, that this was but my personal declaration, liable to be confirmed or disavowed by my Government. I now find a treaty has been concluded with Great Britain and the United States, which provides for the co-operation of the latter in efforts to abolish the slave trade, but which contains no renunciation by the former of the extraordinary pretension resulting, as she said, from the exigencies of these very efforts ; and which pretension I felt it my duty to denounce to the French Government. In all this I presume to offer no further judgment than as I am personally affected by the course of the proceedings, and I feel they have placed me in a false position, whence I can escape but by returning home with the least possible delay. I trust, therefore, that the President will have felt no hesitation in granting me the permission which I asked for."

Permission was granted him by our Government in the following complimentary letter from Mr. F. Webster, the acting Secretary of State :

DEPARTMENT OF STATE, *Washington, October 11, 1842.*

"SIR : I have to acknowledge the receipt of your despatch of the 17th of September last, requesting permission to return home.

"I have submitted the despatch to the President, and am by him directed to say that, although he much regrets that your own wishes should, at this time, terminate your mission to the Court of France, where for a long period you have rendered your country distinguished service, in all instances to its honor and to the satisfaction of the Government, and where you occupy so favorable a position, from the more than ordinary good intelligence which is understood to subsist between you, personally, and the members of the French Government, and from the esteem entertained for you by its illustrious head ; yet he cannot refuse your request to return once more to your home and your country, so that you can pay that attention to your personal and private affairs, which your long absence and constant employment in the service of your Government may now render most necessary."

The New York Courier and Enquirer, one of the most decided Whig journals in the United States, thus announces General Cass' withdrawal from the mission to France :

"The recent departure of General Cass for America, after a long and honorable representation of his country at the court of France, was marked by one of the most gratifying testimonials of respect ever received from his fellow-citizens abroad by a diplomatic agent of the United States.

General Cass had won all hearts at Paris. His hospitable mansion was ever open—his fellow-citizens found in him an ever ready friend and counsellor ; his name was mentioned with delight and respect by the authorities of France, and there are few, if any, of our foreign representatives who have had the good fortune to deserve and receive the sentiments of high personal consideration, so universally felt and expressed towards him. And his countrymen, too, knew and felt, that in the last crowning act of his diplomatic life, the General had done their native land a signal service. They loved the man ; they admired the dauntless envoy of their common country.

As soon as it was known that he had determined to leave the post he had so long and so satisfactorily filled, to return once more to his home, it was the unani-

mous feeling of his fellow-citizens in Paris, that it was due to themselves to testify, in some small degree, their high regard to their Minister ; and a meeting was accordingly held at the American Athæneum, to consult upon what measures would most appropriately carry into effect their intentions.

It was the general wish that a public dinner should be offered to General Cass, and a committee, consisting of gentlemen of all political parties, and from every section of the Union, was accordingly appointed to correspond with him, to make the proper arrangements.

The Committee met at once and addressed the following letter to the General :

PARIS, October 20, 1842.

To his Excellency, General Cass :

DEAR GENERAL : Your fellow-citizens, now in Paris, having heard of your intended departure for the United States, and feeling a common desire to exhibit to you some evidence of their high respect and warm esteem, have appointed the subscribers a committee to invite you to partake of a public dinner at such time as may best suit your convenience.

We have the honor to be, with sentiments of great consideration, your obedient servants,

E. T. THROOP,
J. B. GREENE,
F. S. CORBIN,
ROBERT RAY,
F. C. STEWART,
N. NILES,

A. S. WILLINGTON,
ROFFIGNAC,
B. G. WAINWRIGHT,
F. A. LOVERING,
R. W. BUSH,
F. W. S. COOLIDGE.

To which the following answer was returned :

PARIS, October 21, 1842.

GENTLEMEN : I have just received your favor of yesterday, by which you make known to me that you are authorized as a committee of our countrymen in Paris, to invite me to a public dinner before my departure. I am very sensible to this kindness, and beg you to accept for yourselves, and for the gentlemen associated with you, my thanks for this proof of their good feelings. I owe it more to their generous appreciation of my limited efforts to promote the cause of our country, and the convenience of our countrymen in a foreign land, than to any success I can flatter myself I have attained. It becomes me the more readily to yield to their wishes, and I therefore accept the invitation with which you have honored me.

As you are good enough to leave to me to determine upon the time, as soon as I have definitely fixed the period of my departure, I will make known to you the day which will be most convenient to me, in the hope that it will suit also the convenience of yourselves and your constituents.

With great regard, gentlemen,

I have the honor to be your obedient servant,

LEWIS CASS.

The General having made his arrangements to leave Paris on the 12th of November, the eleventh was fixed upon for the dinner, on which day upwards of eighty of his fellow countrymen sat down to one of the most *recherche* entertainments ever provided at the *Trois Freres Provencaux*.

It is much to be regretted, however, that the only apartment almost in Paris that was proper for this purpose, was not sufficiently large to accommodate a greater number, as many who were anxious to join the festivities were disappointed in being necessarily excluded.

The company sat down at seven o'clock, when the Chair was taken by the President of the day, R. G. Beasley, Esq., the respected Consul at Havre, who was assisted by Nathaniel Niles, J. B. Greene, and F. P. Corbin, Esqs., as Vice Presidents.

The only guest who was invited, except the General, Mr. Ledyard, (Secretary of Legation,) and Mr. Lewis Cass, jr., was the son of the illustrious friend of Washington and America, George Washington Lafayette, who unfortunately was unable to attend.

1st toast. The President of the United States.

2d toast. The King of the French.

The President then addressed the company as follows:

How has it come to pass, gentlemen, that I have been called to preside at this festive board, when I see so many around me so much fitter to occupy this chair? I doubtless owe this honor more to the partiality of some kind friends among you than to any merit of my own, and I have accepted it partly in this belief, and partly induced by the occasion so grateful to my own heart. Let me trust, then, that if a friendly partiality has placed me here, a friendly indulgence will be extended to the deficiencies which I may here betray.

It is needless for me to remind you, gentlemen, that we have come here, without distinction of party, to testify our affectionate respect for our distinguished guest, General Cass, who has asked leave of our Government to return home.

His long stay among us has taught us to know his value, and makes us regret the more our *separation*—I will not say our *loss*—for all, fellow-citizens, all having the same home, we may hope to meet him again.

But, besides the respect and affection of his countrymen, General Cass has enjoyed not only the highest consideration of this court, but the general esteem of this community. Here then, gentlemen, his absence will be felt and considered a loss.

The post of Minister at Paris, or London, is not sufficiently understood in our country. Our relations involving such a variety of interests, it is important that our Ministers at these posts should be, like faithful sentinels, always on the *qui vive*.

And American ministers are obliged to be on the alert in a degree far beyond the usual duty of the representatives of other powers, not only from their distance from home, but from the economical scale of our public service, which withholds those means and facilities that make European diplomacy comparatively easy; and, gentlemen, from the latter cause we have seen that the services of these two posts have generally impaired the private fortunes of our ministers; for—and I am proud to say it—they have not counted the cost to themselves of a proper representation of their country.

These are posts, then, of difficulty, responsibility, and personal sacrifice. How General Cass has filled his, need I ask you, gentlemen? I am sure I need not; for present or absent you have all been attentive observers of so important a representative of your country's interest and honor.

Of the manner in which the ordinary duties of the office have been fulfilled, I believe, then, that here and elsewhere there has been but one opinion.

But, gentlemen, not long since then devolved upon our distinguished guest an extraordinary duty; and as the performance of that duty, bringing him as it did beyond the line of diplomatic action established by the usage of old governments, has brought him under observation, I shall take the liberty of briefly alluding to the occasion, confident as I am that it was one most fortunate for his own reputation, most auspicious to our country's welfare.

It was an occasion requiring original conception, calling for original action; one where a timid Minister, retiring within diplomatic usage, would have waited for instructions—would have hesitated—would have lost the occasion of serving his country.

But General Cass, gentlemen, was equal to the occasion. He saw that at such an emergency, his course of action was not to follow precedents and rules, however sanctioned by "time honored" usage.

These were well enough for governments contiguous to each other; but he was three thousand miles from his instructions, and the case was urgent. He felt then that the case made its own rule; that his circumstances defined his duty; and he looked to his duty with the enlarged view of a Minister Plenipotentiary.

He saw France on the point of committing herself to a policy which would change our relations with her—which might make us enemies—and he believed her Government did not see the danger. He therefore felt bound to warn, and even protest against a step tending to disturb the peace of the two great nations; the one our ancient friend and ally, the other our own, represented by him with plenary powers. Under such circumstances General Cass acted.

Gentlemen, the professed object of the policy in which France was going to become a party was well addressed to the ardent sympathies of a generous nation: but our Minister saw its danger. He rang out the alarm, and after the tocsin was sounded—why then, gentlemen, everybody saw the fire.

Gentlemen, our distinguished guest is now about to withdraw from the diplomatic service, retiring upon the only pension known to our laws—the approbation of his fellow citizens.

Let us hope he will have no reason to be dissatisfied with the pay.

Let us trust it will be such, and in such measure, as we now mete out to him in the pride and fulness of our hearts.

I thank you, gentlemen, for the patience with which you have listened to my humble voice on this occasion.

Let us drink.

3d toast. *Honor to our illustrious fellow citizen, and a happy return to a grateful country.*

[Drank with great enthusiasm, and with three times three cheers.]

General Cass rose, and said in reply:

I thank you, Mr. President, for the kind sentiments you have been pleased to express towards me, and I thank my fellow citizens, whose organ you have been, for the distinguished proof of their esteem which their presence and this occasion furnish me. It is a testimonial which I shall cherish as one of the proudest incidents of a life of almost forty years devoted to the public service, and chequered by many vicissitudes in peace and war. This is its closing scene, and I now return to pass what remains to me of time in comparative obscurity. I am well aware that during my career I have accomplished little to deserve the consideration of my countrymen at home, or the estimate you have been pleased to form of my services abroad. I can claim only the merit of good intentions, and that, fortunately, is a virtue so often found among our public men, as to render its absence a signal cause of reproach, while its possession is but the exercise of a duty. Events, to which you have just alluded, called upon me recently to interpose, in the name of our country by a decisive measure, to prevent the establishment of a maritime pretension which would have been as injurious to our interests in its execution, as it was insulting to our honor in its enunciation. This attempt to gain the dominion of the seas has failed, as every similar attempt will, I trust, hereafter fail. An American Representative encounters little hazard in asserting the just claims of his country. He will find a response, as I have done, in the hearts of his countrymen, and a reward in their approbation, which Government can neither give nor take away.

We, who have put the ocean between ourselves and our native land, can, in my opinion, best appreciate the blessings which Providence has conferred upon our beloved country. Without seeking to decry the institutions of the old world, or to describe its condition as worse than it is, no American can fail to be struck by the immense superiority in all the elements of human happiness which our Confederated Republic presents over the eastern hemisphere. He who leaves

our shores for a residence abroad, and does not return a wiser and a better citizen, will have looked upon life with as little wisdom as profit. The questions, social and political, which agitate these large and densely settled regions, are questions of life and death: Antagonist principles are in contact, liable at every moment to break into fierce action, and which, in their operation, may, and probably will, affect the whole frame of society. Changes may come, which can only be produced by desperate struggles between those who have, and those who seek the power; between those who have much and those who have nothing; between want and misery striving for existence, and wealth and power striving for defence. Happily for us, this state of things is unknown in our country. We are, indeed, divided into parties, and this, perhaps, is one of the conditions of the preservation of freedom. But we have no organic distinctions by which classes are created, and maintained; we have no physical misery nor political oppression to array one portion of the community against another, and to teach it to seek relief in the destruction of existing institutions. Our questions, indeed, are debated with a zeal which proves that all are in earnest, and that they result from honest differences of opinion, respecting persons and principles, and sometimes, unfortunately, with a bitterness which calm patriotism may deplore. But, after all, they pass away, leaving unharmed the institutions of the country, and exhibiting but in bolder relief the strength of our political system, and the wisdom and energy of public opinion. And it is good, while we are here together in these old regions of rank and distinction, to recal one of the most beautiful traits in our whole system of Government, of which I am myself a practical illustration; and that is the perfect equality which is the very foundation of our Constitution—an equality which opens all the avenues of advancement to the whole community, and leaves success or failure to the exertions of each. That this principle should be dear to me, you will at once believe, when I tell you that it is between forty and fifty years since I crossed the mountains on foot, without patronage and without powerful family connexion, a young adventurer in that region, then so wild and solitary, now teeming with life and liberty; and whatever services I have been able to render, and with whatever rewards, these have been greatly overpaid; I owe all to this life-giving principle—to this great test and preservation of republican institutions. Still, my friends, there is obviously one want in our country; one lesson to be learned, which would do more to unite and to render us happy than any measure, proposed by any party, as a remedy for evils felt or anticipated; and that is, a just appreciation of our own condition—a deep-felt realization of the great blessings we enjoy—a conviction that the sun never shone upon a land more favored by Providence, and that all those subjects of discussion which divide us, important as they are, never can justify the fierce animosity to which they often give birth, but that they sink into insignificance when placed in the balance against all that God has done for us, to make us a happy people. This lesson is well learned abroad, by comparing with what we have left with what we see around us, and I trust we shall carry it back with us as a precious acquisition, influencing our conduct and opinions for life.

Permit me to conclude by offering you a sentiment in which I am sure you will all cordially join.

"Our native country—still nearer, the further we are separated from it."

General Cass reached this country, on his return home, on the 6th of December, 1842. He was warmly greeted by his countrymen; a large number of the citizens of New York waited on him at the Governor's room, which was politely tendered him for the occasion. On entering the apartment he was received with three hearty cheers. An invitation to meet his fellow citizens of Boston, at Faneuil Hall, was tendered, but courteously declined as he had made arrangements precluding delay. He reached his home, Detroit, Michigan, on the 15th

of February, 1843, and was most cordially welcomed by the State and municipal authorities.

His truly republican and patriotic conduct during his official career at the Court of St. Cloud, drew forth the following complimentary letter from the venerable "Sage of the Hermitage," whose correct opinions of men and measures, none but the most prejudiced minds will, at this day, deny.

HERMITAGE, July, 1843.

DEAR SIR: I have the pleasure to acknowledge your very friendly letter of the 25th of May last. It reached me in due course of mail; but such were my debility and afflictions, that I have been prevented from replying to it until now; and even now it is with great difficulty that I write. In return for your kind expression with regard to myself, I have to remark that I shall ever recollect, my dear General, with great satisfaction, the relations both private and official, which subsisted between us during the greater part of my Administration. Having full confidence in your abilities and republican principles, I invited you to my cabinet; and I can never forget with what discretion and talents you met those great and delicate questions which were brought before you, whilst you presided over the Department of War, which entitled you to my thanks, and will be ever recollected with the most lively feelings of friendship by me.

But what has endeared you to every true American, was the noble stand which you took, as our Minister at Paris, against the Quintuple Treaty, and which by your talents, energy, and fearless responsibility, defeated its ratification by France. A treaty intended by Great Britain to change our international laws, make her mistress of the seas, and to destroy the national independence, not only of our country, but of all Europe, and enable her to become the tyrant on every ocean. Had Great Britain obtained the sanction of France to this treaty (*with the late disgraceful treaty of Washington, so disreputable to our national character, and injurious to our national safety*) then, indeed, we might have hung our harps upon the willows and resigned our national independence to Great Britain. But, I repeat, to your talents, energy, and fearless responsibility, we are indebted for the shield thrown over us, from the impending danger which the ratification of the Quintuple Treaty, by France, would have brought upon us. For this act the thanks of every true American, and the applause of every true republican are yours; and for this noble act, I tender you my thanks.

I admire the course of Dr. Linn, in the Senate, in urging his Oregon Bill; and I hope his energy will carry it into a law at the next session of Congress. This will speak to England a language which she will understand. *That we will not submit to be negotiated out of our territorial rights thereafter.*

Receive assurances of my friendship and esteem,

ANDREW JACKSON."

CHAPTER VII.

General Cass has always been of the Democratic school; always of unblemished integrity; always true to his duty, whatever its nature or magnitude, or wherever its locality, whether on the Wisconsin, in his birch canoe, on the toilsome business of securing, through treaties with the Indians, the territorial interests of his country, or using the pen in Paris for her benefit, on questions of the greatest international scope, while all Europe looked on; firm and fearless at all times, yet uniting qualities alike necessary to high statesmanship, calm, prudent, and conciliatory—these are some of the attributes and circumstances attaching to his career.

In the summer of 1841, a number of his friends in Philadelphia, addressed him a letter, asking him if he would consent to have his name used as a candidate for the Presidency. His reply is a paper sound in doctrine and elevated in tone. It is truly modest; thus attesting, and not less by the beauty of its composition, and justness of its reflections, the qualities of a superior mind. He avows in it his conviction of the truth of the Democratic creed; yet, it is so liberal, so exempt from all narrowness, and mere partisan prejudice, that it is unspeakably refreshing to meet with such sentiments from such a source, when we have been latterly, so much used to both narrowness and violence from men in high places, or those who are seeking them. It recalls the principles and the tone in which they were ever inculcated by Jefferson and Madison. He forcibly quotes Mr. Jefferson, as an illustrious instance, to show that firmness does not mean violence; for that, although coming into the administration, in the most excited state of feeling that our country has, perhaps ever experienced *he left it with the Republican party greatly augmented, and the principles it had contended for, firmly established.*

A convention of the friends of General Cass assembled at Harrisburg, Pa. on the 21st of November, 1842, and passed resolutions nominating him as a candidate for the Presidency. In reference to this nomination, the following correspondence took place between General Cass and the Hon. Mahlon Dickerson, New Jersey, (Secretary of the Navy under General Jackson and Mr. Van Buren.)

NEW YORK, December 10, 1842.

MY DEAR SIR: You must have observed since your arrival at Boston, that you have been recommended in many of the public papers in different parts of United States, as a candidate for the chief Executive office of the Republic, and particularly that you were nominated to that office at a large Democratic meeting at Harrisburg, on the 21st ultimo.

The manner in which your nomination is mentioned by some of the Whig papers, is such as to excite a suspicion among those who do not know you, that you favor Whig principles, and some have said that your views on a National Bank are identical with those of the Whigs.

I know that there is no ground for such suspicions, and that you are entirely willing that your views upon those subjects should be known to all parties. From the long and friendly relations which have existed between us, before as well as during the time we were fellow-members of the cabinet of President Jackson, and ever since, I take the liberty of asking from you such explanation of your views upon these subjects, as shall be entirely satisfactory to your political friends.

With the highest respect and esteem,

I am your friend and humble servant,

MAHLON DICKERSON.

To General LEWIS CASS.

NEW YORK, December 10, 1842.

MY DEAR SIR: I have received your letter of this day, and have no difficulty in giving you a prompt and unequivocal answer to the questions you present to me.

I am a member of the Democratic party, and have been so from my youth. I was first called into public life by Mr. Jefferson, thirty-six years ago, and am a firm believer in the principles laid down by him. From the faith as taught and received in his day, I have never swerved a single instant.

So much for my general sentiments.

With respect to a National Bank, I think the feelings and experience of the country have decided against it, and that no such institution should be chartered by the General Government.

I will add that my residence in France and a careful observation of the state of the nation, have satisfied me that, while a due degree of credit is highly useful in the business concerns of a country, a sound specie basis is essential to its permanent prosperity.

With great regard, I am, dear sir, truly yours,
LEWIS CASS.

To Hon. MAHLON DICKERSON.

Upon the 8th of January, 1843, the Democratic State Convention of Indiana, assembled at Indianapolis, and addressed interrogatories to the different individuals of the party who had been named for the Presidency and Vice Presidency, requesting their views upon various political questions. General Cass forwarded the following reply :

COLUMBUS, (Ohio,) *February 8, 1843.*

GENTLEMEN : Your letter, enclosing the resolutions of the Democratic Convention of the State of Indiana, was addressed to me at Washington, but did not reach that city till after I had left there. It was then forwarded to me at this place, and in consequence of having stopped upon the route, considerable delay has occurred in its receipt. I make this explanation to account for that delay.

I shall now proceed to answer the questions proposed by the convention, briefly, but frankly ; satisfied it will be more agreeable to yourselves, and your colleagues of the convention, that I should be explicit, than that I should be led into tedious dissertations.

With respect to a NATIONAL BANK, I have to remark, that I have always entertained doubts of the power of Congress to charter such an institution. The indirect process by which this power is deduced from a general provision of that instrument, has never been satisfactory to me. But there is the less necessity for entering more in detail into the constitutional question, as it seems the public voice has pronounced itself, and justly, against the incorporation of any National Bank by Congress. No such institution should, in my opinion, be established.

In answer to the second question, which relates to the DISTRIBUTION OF THE PROCEEDS OF THE PUBLIC LANDS among the several States, I reply that I think no such distribution should be made. I will state, in a few words, the ground of this opinion. The necessary revenue for the support of the Government of the United States, must come from the people, and it must be supplied by direct or indirect taxation, or by the sale of public property. The general sentiment is opposed to direct taxation by the General Government in time of peace ; and, of course, there are left but the other two sources of supply to meet its expenses. Their proceeds must constitute the revenue of the country ; and if one of them is abstracted or diminished, an additional burden is thrown upon the other. Whatever sum the necessary expenses of the Government may require, if the proceeds of the public lands make no part of it, the whole must be raised by taxation. If they make part of it, then the amount of taxation is diminished by the sum supplied by these proceeds. It follows, that any proposition to divert the proceeds of these lands from the support of the Government, is in fact but a proposition to lay taxes upon the people. If a permanent annual revenue of eighteen millions of dollars is necessary for an economical administration of the Government, and if two millions of these are produced by the sales of the public lands, let the source of this supply be diverted to some other object, and these two millions must be provided by the imposition of taxes. All this is too clear to need further illustration. A proposition then to distribute the proceeds of the public lands among the several States, is, in effect, but a proposition to increase the taxation of the people of the United States, through the medium of the General Government, in order that the amount, thus increased, may be

paid into the treasuries of the respective States. To me it appears perfectly clear that whatever may be the annual sum produced by the sale of lands, that sum is a part of the revenue of the country, and that it is just as competent for Congress to take any other two millions, supposing that to be the amount, from the public treasury, and divide them among the States, as to select for that purpose the dollars actually produced by the land sales. It seems to me that such a course of action would be injurious in practice, dangerous in principle, and without warrant in the Constitution of the United States. The theory of our political institutions is familiar to us all. The government of the confederation, and the governments of all the confederated States, have their respective rights and duties clearly defined, and each, within its proper sphere, is independent of the others; each raises and expends its revenue, and performs all the necessary functions of a sovereign State. What right has one to interfere with another, unless in cases marked out by the Constitution itself? If the General Government can provide a revenue for the respective States, and does provide one, it is clear that one great distinctive feature of our political system will disappear, and that the relations between the confederation, as such, and the individual States composing it, will be wholly changed. Human sagacity cannot foretell what would be the entire result of this state of things, but it is easy to predict that this new application of the money power would give to the Government of the United States a strength never contemplated by the American people, and irreconcilable with our constitutional organization; and that it would lead to a habit of dependence on the part of the States, by which their efficiency to resist any encroachment of the General Government would be paralysed. Without pushing these considerations further, I conclude this branch of the subject by repeating, that, in my opinion, no distribution of the proceeds of the public lands should be made.

The subject of a PROTECTIVE TARIFF has been so long and ably discussed, that it would be useless for me to do more than to give you the result of my views. I think, then, that the revenue of the Government ought to be brought down to the lowest point compatible with the performance of its constitutional functions; and that in the imposition of duties, necessary, with the proceeds of the public lands, to provide this revenue, incidental protection should be afforded to such branches of American industry as may require it. This appears to me not only constitutional, but called for by the great interests of the country; and if a protective tariff, upon this principle, were wisely and moderately established, and then left to its own operation, so that the community could calculate upon its reasonable duration, and thus avoid ruinous fluctuations, we might look for as general acquiescence in the arrangement as we can ever expect in questions of this complicated kind, when local feelings have been enlisted, which a prudent legislature must consult more or less, and endeavor to reconcile.

A proposition to amend the Constitution of the United States, is one which I should always receive with great caution. There is already in our country too great a disposition to seek, in changes of the laws and constitutions, remedies for evils to which all societies are more or less liable, instead of leaving them to find their own cure in the operation of the ordinary causes which act upon communities. It is often better to suffer a partial inconvenience, than rashly to alter the fundamental principles of a political system. Stability is better than change, when change is not decidedly called for. I am not aware that the exercise of the veto power has, for many years, produced any injury to the public service. On the contrary, I think in those cases where it has recently been interposed, it has been properly applied, and that its action has been approved by a great majority of the people. I see, therefore, no practical evil which demands, in this respect, a change in the Constitution of the United States.

Your last questions regard the obligations which the nomination of a National Democratic Convention should impose upon those persons whose names have been brought forward in connexion with the Presidency of the United States.

In the summer of 1841, in answer to an application from a Committee appointed by a Democratic meeting in the city of Philadelphia, I stated my determination not to suffer my name to be used in this matter, unless nominated by a National Democratic Convention. To that declaration I yet adhere; and I add, in the terms of your question, that I shall give my support and influence to the nominee of that convention. I beg leave, however, to remark, as the subject has excited discussion in respectable quarters, that I am firmly impressed with the belief that no portion of the Democratic party will weaken its strength, or hazard the favorable result we have a right to expect, by precipitating the period of the meeting of the convention. The great object is a union of views, to prevent the efforts of the party from being rendered useless by divisions; and this union is best attained by that process which shall best ascertain the public will, the only legitimate source of authority. To effect this, the Representatives at the convention should come from the people; and should assemble to exercise their functions in as short an interval before the Presidential election as may be compatible with the preparatory arrangement and investigations which such a great object requires. The people should have all the time possible to express their latest will in the nomination of the candidate to be submitted for their support. Nothing can be gained, and much may be lost by undue haste. It may wear the appearance of distrust of the people, or of an unwillingness to leave their proper cause in their own hands. There, however, it should be left till the last reasonable moment, and then the convention will be the fair exponents of the will of their constituents, at the time the delegated trust is to be exercised. I do not suffer myself to doubt, but that these views will meet the approbation of the great Democratic party.

With great respect, gentlemen,

I have the honor to be your obedient servant,

LEWIS CASS.

TO ETHAN A. BROWN, JOHN LAW, NATHANIEL WEST, JOHN PETTIT, JESSE D. BRIGHT, and A. C. PEPPER, Esqrs.

In February, 1843, a number of General Cass' political friends in Michigan, addressed him desiring his sentiments, also, respecting a National Bank, a tariff, a distribution of the proceeds of the public lands, and a national convention; to which the General returned the following answer:

DETROIT, *February 28, 1843.*

GENTLEMEN: I had the honor to receive your letter of yesterday, requesting me to communicate my opinion upon certain questions you have stated. I have no reserve upon these, nor upon any other subjects involving the principles or policy of the General Government, and I do not hesitate to give you my sentiments, freely and frankly.

I shall limit my answer, however, to a categorical expression of my views, and shall not enter into the considerations which have led to them. A sense of propriety imposes this course upon me. I received, some time since, from a committee of the Democratic Convention of the State of Indiana, a letter asking my opinion upon the topics which are embraced in your communication. To that letter I replied, at length, giving my opinion, together with the reasons in support of it. That letter being at the disposition of the convention, I do not think I ought to make it public.

For the present, therefore, I confine myself to a brief declaration of my sentiments upon the points of inquiry you have proposed.

1. I do not think that a National Bank should be incorporated in any form or under any pretence by the General Government. First, because I have never seen in the Constitution of the United States a sufficient grant of power for such a purpose ; and second, because public opinion has pronounced itself, and I think justly, against any such institution. An attempt to incorporate a National Bank ought to be met by the Presidential veto, should that measure be necessary to defeat it.

2 I think it is the duty of the General Government to reduce its expenses to the lowest amount, consistently with a faithful discharge of its constitutional duties. In the preparation of a judicious tariff to raise this amount, it is also its duty to afford incidental protection to those branches of American industry which require it. An economical expenditure, a tariff producing enough, with the sales of the public land, to meet this expenditure, and so divided among the various articles of importation as to protect our own manufacturers by reasonable duties ; and within these limits, a practical application of the just principles of free trade to our foreign commerce, seem to me, to comprehend the outline of the duties of the Government of the United States upon these difficult topics. If to this, be added a sincere desire to reconcile, as far as may be, locally conflicting views by mutual concessions of opinion, and to adopt a system which shall have stability enough to enable the great interests of the country to accommodate themselves to it, I think the object which has been so long sought will be as nearly attained as the circumstances of the country permit.

3. The public land should, in my opinion be appropriated to the support of the Government of the United States, and not distributed among the individual States.

4. I think it is the duty of every member of the Democratic party, whom the partiality of his friends may designate as a proper person to fill the office of President of the United States, to be bound by the decision of the general convention of the party. I have said this in other circumstances, and I here repeat it. Should the choice of the convention fall upon me, which I have no right to expect, when I look at the able men whose names are before the public, I shall sit still and submit. Should it fall upon another, I shall support him zealously and sincerely.

I am gentlemen, with great regard, your obedient servant,

LEWIS CASS.

During the winter of 1843-4, large and enthusiastic meetings were held in various parts of the country, recommending General CASS as a suitable candidate to be nominated by the Democratic National Convention for the Presidency. Having upon several occasions expressed his views and opinions in relation to the various political questions of the day ; a letter was addressed him by the Hon. Edward A. Hannegan, of Indiana, for the purpose of ascertaining his views upon the ANNEXATION OF TEXAS ; to which the General forwarded the following reply :

DETROIT, *May 10, 1844.*

DEAR SIR : In answer to your inquiry, whether I am favorable to the immediate annexation of Texas to the United States, I reply that I am, as you demand my opinion only of this measure, and briefly the reasons which influence me, I shall confine myself to these points.

I shall not dwell upon the policy of uniting coterritorial countries, situated like ours and Texas, with no marked geographical feature to divide them, and with navigable streams penetrating the territories of both ; nor upon the common origin of the people who inhabit them ; upon their common language, manners, religion, institutions, and, in fact, their identity as a branch of the human family. Nor shall I urge the material interests involved in the measure, by the

free intercourse it would establish between the various sections of a vast country, mutually dependent upon, and supplying one another. These considerations are so obvious, that they need no elucidation from me.

But in a military point of view, annexation strikes me as still more important, and my mind has been the more forcibly impressed with this idea, from reading the able letter of General Jackson upon this subject, which has just come under my observation. With the intuitive sagacity which makes part of the character of that great man and pure patriot, he has foreseen the use which a European enemy might make of Texas in the event of a war with the United States. A lodgment in that country would lay open our whole south-western border to his devastations. We could establish no fortress, nor occupy any favorable position; for the immense frontier may, in a vast many places, be crossed as readily as a man passes from one part of his farm to another. The advantages an active enemy would enjoy under such circumstances it requires no sagacity to foretell.

These considerations recal to my memory an article which made its appearance just before I left Europe, in a leading Tory periodical in England, which is understood to speak the sentiments of a powerful party. This is Frazer's Magazine; and a more nefarious article never issued from a profligate press. It ought to be stereotyped and circulated from one end of our country to the other, to show the designs which are in agitation against us, and to teach us that our safety, in that mighty contest which is coming upon us, is in a knowledge of our danger, and in a determination, by union, and by a wise forecast, to meet it and defeat it. The spirit of this article is sufficiently indicated by its title, which was, "a war with the United States a blessing to mankind." I cannot refer to it at this moment, but must speak of it from recollection. I have often been surprised it has not attracted more attention in our country. Its object was to provoke a war with the United States, and lay down the plan of a campaign, which would sooner bring it to a fortunate conclusion with England. The basis of this plan was the organization of the necessary black force in the West India Islands, and its debarkation upon our Southern coast. The consequences which our enemies fondly hoped for, in such a case, but with an entire ignorance of the true state of the country, were foretold with a rare union of philanthropy and hatred. I wish I had the number at hand, to cull some choice passages for your reflection. The result was to be the destruction of the Southern States, the ruin or depression of the others, and the dissolution of this great and glorious confederacy, on which the last hopes of freedom, through the world, now rests.

What more favorable position could be taken for the occupation of English black troops, and for letting them loose upon our Southern States, than is afforded by Texas? Incapable of resisting, in the event of a war between us and England, she would be taken possession of by the latter, under one or another of those pretences, which every page of her history furnishes, and the territory would become the depot, whence she would carry on her operations against us, and attempt to add a servile war to the other calamities which hostilities bring with them. He who doubts whether this would be done, has yet to learn another trait in the annals of national antipathy. It would be done, and be called philanthropy.

Every day satisfies me more and more, that a majority of the American people are in favor of annexation. Were they not, the measure ought not to be effected. But as they are, the sooner it is effected the better. I do not touch the details of the negotiation. That must be left to the responsibility of the Government; as, also, must the bearing of the question upon, and its reception by other countries. These are points, I do not here enter into.

I am, dear sir, with much regard, truly, yours,

LEWIS CASS.

Prior to the assemblage of the Democratic National Convention, at Baltimore, on the 27th of May, 1844, the destinies of the Democratic party hung trembling in the balance. The influence of sectional or other interests, and internal quarrels, had distracted the harmony of their counsels, and threatened inevitable defeat.

Previous to the introduction of the Texas question, the general concurrence of a large majority of the Democratic party on Mr. Van Buren, was settled and recognized. His letter, in opposition to the "annexation of Texas," and the demonstrations of public sentiment in favor of that measure, presented the propriety of his nomination in an aspect materially modified. His friends, on a broad survey of the whole ground, came to the conclusion that the influence of this new question, was really and truly such as to destroy or endanger the hope of his election—that any other candidate, worthily fulfilling the condition of being a true and trusty Democrat, could bring more favorable auspices into the contest with the common foe.

The convention met, and many of Mr. Van Buren's best friends, not loving Cæsar less, but Rome more, were among the first to cast a reluctant and sorrowful vote against his name. The friends of General CASS, with magnanimous ardor, pressed his nomination, and the flattering vote he received, affords evidence of the estimation in which he was held by the Democracy of the country. On the first ballot, he received 83 votes; on the second, 94; on the third, 92; on the fourth, 105; on the fifth, 107; on the sixth, 116; on the seventh, 123; on the eighth, 114; on the ninth ballot, Mr. Polk was nominated.

The nomination of Mr. Polk infused new vigor among the masses attached to the Democratic party. It received the most cordial support from the numerous friends of General CASS, throughout all portions of the Union.

In reply to an invitation to attend the Democratic meeting held at Independence square, Philadelphia, on the 4th of July, 1844, General Cass sent the following:

DETROIT, *June 28, 1844.*

GENTLEMEN:—I shall be prevented by other engagements from accepting your invitation to attend the celebration by the Democratic citizens of the City and county of Philadelphia, of the coming anniversary of our national Independence. I thank you for the kind consideration which your invitation evinces, and for the compliment you confer upon me, by classing me with the champions of Democracy. I have done but little, and had it in power to do but little for those great principles which are so dear to our party. But I may congratulate you upon the prospect of their restoration to the councils of our country. Zeal and unanimity have taken the place of temporary division, and the enthusiasm which every where prevails, is the harbinger and the pledge of success. While, upon the coming national festival, we recall the achievements of our fathers, and the principles they established, let us labor and resolve to maintain our institutions unchanged, and to transmit them, as we received them, in their primitive integrity.

I am, gentlemen, with great regard, your obedient servant,

LEWIS CASS.

To WM. BONSALL, and others, Committee.

The contest of 1844, will ever form an important era in the political history of our country. It was the most important election that had taken place in this country since that of Jefferson, in 1800. The country was not committed to the government of the Whig party, and the ascendancy of all those false and fatal heresies of doctrine, which that party, at that time, espoused. But slight and frail was the narrow bridge by which the yawning gulf of our political ruin, was cleared. Had the Whig party succeeded in that contest, it would have

stamped them, their ideas, and their doctrines, upon the future history of our government, with a fatal depth and extent of mischief never, perhaps, to be again effaced, but the calamity of such consequences has not fallen upon us, our children, and our country.

General CASS was among the foremost in averting the disaster. In compliance with the popular demand, he took the tour of the States of Ohio, Indiana, and Michigan. He everywhere met the most enthusiastic reception from the people. He was hailed as the **FATHER OF THE WEST**. But a great change had been effected since first he came among them. The lofty forests which he then traversed were now fruitful fields; the lonely cabins which he protected against the firebrand of the savage, were transformed into populous cities; the Indian war-path was converted into the railroad; the harbors upon the lakes and rivers which he first surveyed, were now the seats of commerce and of wealth; and the scattered population which he governed were now a great people. The crowds which attended his progress through these States, seemed rather the triumphal procession of a conqueror than the peaceful attendance of a private citizen.

His arrival at the Nashville Democratic Convention, in August was, announced by the firing of cannon, and he was received with every demonstration of popular enthusiasm. Of his speech there, a leading paper says:

"We did not attempt a sketch of the eloquent and powerful speech that was made by General CASS, for we felt that nothing short of its publication entire, word for word, and sentence for sentence, as he uttered it to admiring thousands, would do him a full measure of justice. It was the master effort of a great statesman, and the popular thunder of applause with which it was received by the fifty acres of freemen in attendance rung through the valleys and reverberated from hill to hill, exceeding any thing that we had ever heard before."

General Cass visited the Hermitage, and spent some time with General Jackson. When they parted, the scene was most impressive and affecting. An eyewitness remarks: "The tears of the veterans were mingled together as they bade each other a last farewell."

The following incidents at the public meeting at Norwalk, Ohio, on the 17th of September, are selected from the Democratic newspaper published at that place:

"While a number of revolutionary soldiers were being introduced to General CASS, one of our citizens approached him, and asked if he remembered him. Upon replying that he did not, he gave the following account of their first meeting: "In the spring of 1813, Fort Meigs was besieged by the British and Indians, and the militia of Ohio were called out to march to the relief of the Fort. General Cass was appointed to the command. Six thousand assembled at Upper Sandusky, of whom two thousand were selected to proceed on to the fort. The marshes and woods were filled with water, making the roads almost impassable. The commanding general had not yet arrived but was daily expected. On the second day of the march, a young soldier, from exposure to the weather, was taken sick. Unable to march in the ranks, he followed along in the rear. When at a distance behind, attempting with difficulty to keep pace with his comrades, two officers rode along, one a stranger, and the other the colonel of his regiment. On passing him, the colonel remarked, 'General, that poor fellow there is sick, he is a good fellow though, for he refuses to go back; but I fear that the Indians will scalp him, or the crows pick him before we get to Fort Meigs.' The officer halted, and dismounted from his horse. When the young soldier came up, he addressed him: 'My brave boy, you are sick and tired, I am well and strong; mount my horse and ride.' The soldier hesitated. 'Do not wait,' said the officer, and lifting him on his horse, with directions to ride at light to

the general's tent, he proceeded on foot to join the army. At night, the young soldier rode to the tent, where he was met by the general with a cheerful welcome, which he repaid with tears of gratitude. That officer was General CASS, and the young soldier was the person addressing him, our worthy fellow-citizen, John Laylin. The general, remembering the circumstance, immediately recognized him. Mr. Laylin remarked, 'General, that deed was not done for the world to look upon, it was done in the woods with but three to witness it.'

"Another: Our old friend, Major Parks, on being introduced to General Cass, exclaimed, with much animation, 'General, I thank God, that I am able to see you! I fought by the side of your father, Jonathan Cass, and your uncle, Daniel Cass, at the battle of Bunker's Hill. Your father was sergeant of the company, and I was a corporal. We were brothers together during the war. God bless you, general for his sake.' The general was deeply affected in meeting the friend and companion of his father; while the old veteran, with eyes sparkling, recounted the scenes through which they passed together in the days of danger and strife—the times that 'tried men's souls.'"

Another anecdote of General Cass, while on his tour through Ohio, was related, with much spirit, by the late gallant and lamented General Hamer. The carriage containing General Cass was one day stopped by a man, who, addressing the General, said: "'I can't let you pass without speaking to you. You don't know me, general.' General Cass replied that he did not. 'Well, sir,' said he, 'I was the first man in your regiment to jump out of the boat on the Canadian shore.' 'No, you were not,' said General Cass, 'I was the first man myself on shore.' 'True,' said the other, 'I jumped out first into the river, to get ahead of you, but you held me back, and got ahead of me.'"

The result of the contest in 1844 is well known. The vote of every Western State, save one, and that by a meagre majority, was given for Mr. Polk. To the efforts of General CASS, and his great personal popularity, exerted in favor of Mr. Polk, much of this is to be attributed. The gratification which success afforded him, was the richest compensation he desired for the services rendered.

CHAPTER VIII.

General CASS was elected United States Senator by the Legislature of Michigan on the 4th of February, 1845, and took his seat on the 4th of March. It was the first time he had ever been elected to either House of Congress. In the formation of the committees of the Senate, General Cass was unanimously tendered the post of Chairman of the Committee on Foreign Affairs, which, however, he declined.

In December, 1845, General Cass introduced resolutions in the Senate relative to the national defences, with particular reference to the condition of our affairs with Great Britain, growing out of the Oregon question. These resolutions he supported in a speech, of which the following is an extract, referring to the course which should be pursued in maintaining our rights to the territory in question.

"As to receding, it is neither to be discussed nor thought of. I refer to it but to denounce it—a denunciation which will find a response in every American bosom. Nothing is ever gained by national pusillanimity. And the country which seeks to purchase temporary security by yielding to unjust pretensions, buys present ease at the expense of permanent honor and safety. It sows the wind to reap the whirlwind. I have said elsewhere, what I will repeat here, that it is better to fight for the first inch of national territory than for the last. It is better to defend the door sill than the hearth stone—the porch than the al-

tar. National character is a richer treasure than gold or silver, and exercises a moral influence in the hour of danger, which, if not power itself, is its surest ally. Thus far, ours is untarnished; and let us all join, however separated by party or by space, so to preserve it."

During this session, the President recommended Congress to annual and abrogate the agreement for joint occupancy of Oregon, between Great Britain and the United States, by giving the twelve months' notice required by the Convention of 1827. Accordingly, a bill to that effect was introduced into Congress, and received the cordial support of General Cass. We claimed our title to Oregon under the three following branches:

First. In our own right, under the discovery of the Columbia river by Captain Gray, in 1792, and the exploration of the river by Lewis and Clark, in 1805 and 1806.

Second. In right of France, as part of the Louisiana territory, under the treaty of 1803.

Third. In right of Spain, as the first to discover the bay, into which the Columbia flows, and the principal capes and straits, from cape Mendocino to latitude 55 degrees north, under the Florida treaty of 1819.

The speech of General Cass above referred to, has been circulated and read very generally, but the following extract expresses so fully the sentiment of every patriotic American, that it is worthy of record:

"It pains me, sir, to hear allusions to the destruction of this Government, and to the dissolution of this Confederacy. It pains me, not because they inspire me with any fear, but because we ought to have one unpronounceable word, as the Jews had of old, and that word is *Dissolution*. We should reject the feeling from our hearts, and its name from our tongues. This cry of "*Wo, wo, to Jerusalem*," grates harshly upon my ears. Our Jerusalem is neither beleaguered nor in danger. It is yet the city upon a hill, glorious in what it is; still more glorious, by the blessing of God, in what it is to be—a landmark, inviting the nations of the world, struggling upon the stormy ocean of political oppression, to follow us to a haven of safety and of rational liberty. No English Titus will enter our temple of freedom through a breach in the battlements, to bear thence the ark of our Constitution and the book of our law, to take their stations in a triumphal procession in the streets of a modern Rome, as trophies of conquest and proofs of submission.

"Many a raven has croaked in my day, but the augury has failed, and the Republic has marched onward. Many a crisis has presented itself to the imagination of our political Cassandras, but we have still increased in political prosperity as we have increased in years, and that, too, with an accelerated progress unknown to the history of the world. We have a class of men whose eyes are always upon the future, overlooking the blessings around us, and forever apprehensive of some great political evil, which is to arrest our course somewhere or other on this side of the millenium. To them we are the image of gold, and silver, and brass, and clay, contrariety in unity, which the first rude blow of misfortune is to strike from its pedestal.

"For my own part, I consider this the strongest Government on the face of the earth for good, and the weakest, for evil. Strong, because supported by the public opinion of a people inferior to none of the communities of the earth, in all that constitutes moral worth and useful knowledge, and who have breathed into their political system the breath of life; and who would destroy it, as they created it, if it were unworthy of them, or failed to fulfill their just expectations.

"And weak, for evil, from this very consideration, which would make its follies and its faults the signal of its overthrow. It is the only Government in existence which no revolution can subvert. It may be changed, but it provides for its own

change, when the public will requires. Plots and insurrections, and the various struggles by which an oppressed population manifests its sufferings, and seeks the recovery of its rights, have no place here. We have nothing to fear but ourselves."

General Cass has always believed our title to the whole of Oregon to be clear and unquestionable. Upon this subject he was known to be decided, well informed, and inflexible. Having been trained in the school which taught him, in our intercourse with foreign nations, to ask for nothing but what is right, and to submit to nothing that is wrong, he had the moral courage to stand up for the right, whatever might be the consequences. The part taken by General Cass in the exciting controversy on this question, and his opposition to the treaty, are well known to the country. His speech on the ratification of the "Oregon Treaty," delivered in the Senate in secret session, in June, 1846, conclusively established our title to the whole of Oregon. He said :

"In the progress of our controversy with England, Mr. President, for the possession of Oregon, we have at length reached the last step of our march. For almost half a century that country has formed a subject of discussion between the two nations, and recently it has threatened to become a subject of hostilities.

"A treaty is now presented to us, which, if ratified, will terminate this cause of difference by the abandonment of a large portion of our claim, and what is still worse, by the abandonment of more than was ever offered, or even contemplated, in any one of the various phases of this diplomatic contest. I say, if ratified; but it seems scarcely necessary to speak conditionally upon this matter. As to the English Government, it can hardly refuse its formal assent to an instrument prepared by itself. It comes to us as it came from England, and, as has been said, without 'the crossing of a *t* or the dotting of an *i*, untouched and unchanged.' And as to the issue of our present discussion, the course it has taken, and the vote we have already given, announce but too clearly that we shall return it as we received it, making its terms our own."

The course pursued by General Cass during the progress of the Oregon controversy—his unwavering firmness and unyielding consistency upon the whole matter—merits the decided approbation of the American people. The Democratic National Convention, which assembled at Baltimore in May, 1844, declared "that our title to the whole of the territory of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other power." The same doctrine was announced by President Polk in his "Inaugural Address," and in his first annual message. To these principles General Cass strictly adhered during the pendency of the matter before the Senate. He believed that our titles were valid and conclusive against Great Britain, and formed in accordance with those laws, customs, usages, and principles considered obligatory among civilized nations, a most perfect and indisputable title to the jurisdiction of that country—a title so clear and unquestionable as to preclude the possibility that it could be successfully controverted by any nation upon earth, on any principle of law, justice, and equity.

Great Britain first doubted our title, and set up some pretensions of her own right, in 1818, immediately after the restoration of the settlement to our own Government, under the first article of the treaty of Ghent.

Her plenipotentiaries first claimed title by virtue of the discoveries of Sir Francis Drake, in 1579. To which we answer, that Drake was a *pirate*, sailing without authority, and committing depredations on the Spanish settlements; that Oxenham, a subordinate officer, who had ventured to imitate his master, was taken by the Spaniards and hanged; that his punishment was neither unexpected or censured, in England, as severe; and that Spanish navigators had, in

1543, thirty-six years before, examined all the coast which was visited by Drake. They next contended that they had a title, by virtue of Captain Cook's discoveries, in 1778, and Lieutenant Meares' voyage to Nootka, in 1788. To which we answer, that Spanish navigators had discovered and explored the whole coast, in 1774 and 1775; that Meares sought in vain to find the Columbia river, and had named the cape north of its mouth "Cape Disappointment," and the bay itself, "Deception Bay," in token of his failure to find the object of his search. They next claimed title by virtue of the discovery of the river by Captain Vancouver, in 1792. To which we answer, that the river had already been discovered and navigated by Captain Gray; that Vancouver and Broughton received their information from Gray; and prove by the journal of Vancouver's voyage, vol. 2, pages 41, 58, 388, 393, and 395, that he was entirely ignorant of the existence of the river; that it was first discovered by Captain Gray; that he doubted the information furnished by Captain Gray, until he had himself visited it, by means of that information, and the charts made by Captain Gray, copies of which Captain Vancouver procured at Nootka Sound.

Failing, thus to establish any title by discovery from the ocean, they pretend that Alexander MacKenzie had discovered the Columbia from the interior in 1792. This was refuted by proving that it was the Tacoutchee or Frazer's river, and not the Columbia, which was visited by Mackenzie, and that he did not cross the Rocky Mountains until May, 1793, a year after the river was discovered and navigated by Capt. Gray. They then contended that the Columbia was first explored from the interior by Mr. Thompson, an agent of the Northwest company, prior to, or at the same time with Lewis and Clarke. This was refuted, by showing that Lewis and Clarke reached the Pacific, after exploring the Columbia from one of its sources in the Rocky Mountains, in November, 1805; whereas, the party to which Mr. Thompson was attached, did not enter the territory drained by the Columbia until 1811, six years afterwards, at which time they found the citizens of the United States already established at Astoria.

They then set up the claim of a right of *joint occupancy* under the Nootka Sound Convention of 1790, to which they referred as the record, where their rights were "recorded and defined." This convention gave to Great Britain no claim to the *sovereignty* of the country; it amounted only to the right to *trade* with the natives on the coast "*north of Nootka Sound.*" Although it granted British subjects a right to participate in the whale fishery, it expressly prohibited them from navigating or carrying on their fisheries within the space of ten sea leagues from any part of the coast then occupied by Spain; and that the provisions of the convention were *temporary* in their nature, and dissolved by the war which soon after ensued between the two countries.

We have been thus explicit in expressing our views concerning our title to the whole of Oregon, because they coincide in every particular with those expressed by General Cass. Though this whole matter has been adjusted by the constitutional authorities of our country, we cannot but admire the frank independence and candour which General Cass displayed during the whole controversy. For future reference these extracts and authorities are invaluable, and we conclude our notice of the subject by inserting the following extract from his speech on the treaty.

General Cass said: "I am not going to dig up the treaty of Utrecht from its quiet and archæological grave. I leave it 'alone with its glory.' Its day has passed by. It is an *obsolete idea*. Not even the Senator from Missouri, (Mr. BENTON,) with his great powers, can breathe into that bygone work the breath of life. But were it otherwise, and were the parallel of 49° established by the treaty of Utrecht, what justification could we have for entertaining this *projet*, or even for receiving it? If England and the United States through France,

whose title we hold, fixed that parallel, as the boundary of their possessions, extending to the western ocean, what is this Government negotiating about, and what is this Senate discussing? The demand by England of 'one inch or acre' south of that line would be as dishonest as it would be arrogant, not to say impudent; and our submission would brand us with everlasting disgrace. We have got her bond, assigned to us by France, and her bond is all we shall have, if we yield to her present pretensions, and substitute a treaty of Washington for a treaty of Utrecht, with its "*marvelously proper line*." If this assumption be true, the two Governments have been playing a most unworthy part before the world for half a century. Unworthy of the one, which in effect denies its own solemn compact and disregards it, coolly demanding a large slice of the territory it has acknowledged to be ours; and of the other, which receives the demand with equal coolness, and prepares to yield to it.

"But, sir, bad as this claim is, it is not so bad as that. The country now knows that no line west of the Rocky Mountains was established under the treaty of Utrecht, and that, in fact, no such line could have been established.

"It knows that the stipulations of that treaty extended only to the French and English colonies.

"It knows that the country on the northwest coast was then, in effect, unknown and unclaimed, or if claimed at all, it was by Spain.

"It knows that in the statement of the British claim by the British negotiators, this treaty of Utrecht was never once alluded to, and that the voyage of Captain Cook, in 1778, was urged by them as the origin of their title.

"It knows that the recognition of the Spanish title in 1790, by Great Britain, under the Nootka Sound Convention, was utterly inconsistent with the notion of a division of that region between France and England, three-fourths of a century before.

During this session, an act was passed by Congress, for the admission of Texas into the union upon an equal footing with the original States. General Cass having been a decided and uncompromising friend to the annexation of Texas during the political contest of 1844, gave the measure his heartiest support.

It was during this session of Congress (on the 11th of May, 1846,) that the President announced that our territory had been invaded by the Mexican army, and that war actually existed between the United States and Mexico. He invoked the prompt action of Congress to recognise the existence of the war, and to place at the disposition of the Executive, the means of prosecuting the war with vigor, and thus hastening the restoration of peace. On the 13th of May, Congress recognised the existence of the war—declared it to be "by the act of Mexico" with almost perfect unanimity, and placed at the disposal of the President ten millions of money, and fifty thousand volunteers. General Cass strenuously supported the Administration, and advocated the most energetic measures for a vigorous prosecution of the war, and for carrying it into the heart of the enemy's country.

It was during the sessions of this Congress, that the Tariff of 1846, the Independent Treasury and the Warehousing system were established. By the establishment of a liberal revenue tariff, for the first time in our legislation during the last thirty years, the rights and interests of the farmer and laborer have been regarded with the same just and equal favor which has been extended to other classes. It is not alone to the exclusive champion of free trade, and the ultra advocate of a hard money currency, that the opponents of protection and the enemies of a paper currency are to look for the defeat of those measures. Such men are usually in the pursuit of some theoretical abstraction, which gives them but little influence with practical men. But it is to men of enlarged and liberal views, whose strength of character and influence carry conviction with

their action, that the country is indebted for radical and beneficial reforms. General Cass gave to these great measures the weight of his influence and his zealous and unflinching support.

CHAPTER IX.

The second session of the twenty-ninth Congress commenced on the 7th of December, 1846. The President, in his annual message, gave a condensed view of the injuries we had sustained, of the causes which led to the war, and of its progress since its commencement. He recommended the raising of an additional force to serve during the war with Mexico. This measure was debated for a considerable time in both Houses of Congress. It received the zealous and hearty support of General Cass. We herewith annex a synopsis of his speech delivered on the 22d of January, 1847, in support of the *Ten Regiment Bill* :

He remarked that there were two courses for completing the organization of the army, presented to them ; and after reading an extract from the Constitution, referring to the subject, proceeded : "For the several companies to elect their own officers, seemed to him directly contrary to the Constitution. 't took from the President the prerogative which the Constitution gave him. They all felt the crisis in which they were placed. He had not heard a sentiment advanced by any gentleman on the other side of the chamber, which was not honorable to the speaker. They were all anxious for the welfare of the country. He was well aware that they ought to look around. He did not wonder at the discussion or deliberation which had taken place. The last advices from Mexico brought intelligence of one of the most singular scenes exhibited in the record of nations. It told them of a perseverance belonging to the Spanish character. Their President had taken an oath that he would not treat with this country while our troops were upon one foot of Mexican soil. It showed what they had to contend with. They should, therefore, address themselves to the shock, and make all the arrangements necessary to carry on the war to a successful termination ; unless it be, and he trusted there were very few who were prepared to abandon the war, sitting down as they rose up, with all the wrongs which they had suffered from Mexico, unatoned for, after an immense expenditure of blood and treasure. He did not believe there were many prepared to advocate such a course. As had been well said by the gentleman from Ohio, the constitutional management of the war belonged to the President. Congress could neither give him the power to carry on the war, nor control that power. As to the method in which it was to be carried on, whether by sea or land, it seemed to him, a reasonable confidence should be placed in the Executive of the nation on that point. He had experience to guide him. He knew what the country required, what forces were necessary. He had informed them of it. It did seem that a reasonable confidence in the discretion of the Executive, in the experience of the Administration, should lead them to vote for the measures the President had called for, unless there was some reasonable objection. He saw none.

"He could not approve of the course pointed out by the Senator from Texas, (Mr. Houston.) His own experience was exactly the reverse. For that honorable gentleman, whose experience in the service of his country, had put imperishable laurels upon his brow, no man who heard him, had a higher respect than himself. But let him tell that gentleman that their course in 1813, was different from the one he proposed. Then they called for twenty regiments of regular troops. To the Colonel in Ohio, as he remembered, they said : "There is a blank piece of paper ; go to men of talent and enterprise ; men in whom

the public have confidence, select A to be a captain, and say to him, 'if you will produce fifty men within two months, you shall have a commission.' Then let A go to B and say, 'raise fifteen or twenty men, and you shall be lieutenant;' and so with others." In that way a regiment was raised in two months. Those Colonels went around and selected an officer. It was confidently, properly given, properly exercised. They did not voluntarily throw away the power. They found men of character, who raised such men as crossed the lake with Harrison, and went on and completed the war. Now, where was the difficulty? He did not know what course they would adopt when they had passed the bill; but he had no doubt the Administration would adopt the best course, a course that did not cause unnecessary delays. Let him be allowed to mention one fact for the consideration of the honorable Senator from Texas. The pecuniary motive, which he proposed to offer for enlistments, was quite different from the one which he would approve. He (Mr. Cass,) would grant a bounty to the soldiers; and he understood from the gentleman from Missouri, the Chairman of the Military Committee, (Mr. Benton,) that the effect of the proffered bounty had already been felt, and that enlistments were, consequently, going on more rapidly than ever before; the effect was not to be disguised. Let them look at the whole experience of the country. Under Washington, the regular troops were found to be the very best which could possibly be raised. More responsibility could be placed in them. He would not discourage the volunteers—he himself had been a volunteer—but it was human nature, that men who enlisted in the regular army, and underwent a thorough course of discipline, would be more efficient soldiers; not that the volunteers were inefficient in the day of battle. Every man knew, who knew the volunteers, that there was no corps of them that would not follow the standard of their country, and uphold it boldly on the field of battle. This campaign had showed it. This campaign had shown that, in the deadliest of the shock, they had borne the standard of their country proudly and aloft. He would say, that the very honor their country had acquired, by their recent victories, was, to him, a full compensation for every dollar they had expended. None regretted the expense more than he; but, measured by dollars and cents, he would repeat, they had dollar for dollar. They were unknown to Europe before. A half century had almost passed away since the prowess of the nation had been shown. Europe, and the civilized world had forgotten them. They saw a great nation—their keels ploughing every wave—their ships at every port. Forgotten! Ay! At the the first tap of the drum—the first sound of the bugle—what was the effect? The Government had not to summons men to the field; they had more than enough. They told them to stay at home; they did not want them. It was absolutely the duty of the Government to stay the ardor of the citizens. They could not take a tithe of those who volunteered their services. A prouder spectacle was never exhibited since men were congregated together in civilized societies; a spectacle most clearly prophetic for the stability of the Republic. He had nothing to say about Monarchical Governments. Let Europe have them; but ours is the Government for us—a Government in which the property and rights of citizens were sacred; and it was now shown that in time of war, it was equal to a defence. He knew there had been a good deal said about the injustice of the war; but he supposed there was not an honorable Senator on his side of the chamber who saw no cause for the war. Some might say that it was inexpedient to go to war at the time; but no one, looking upon the long catalogue of aggravations, would say that there was no cause for it. The President had asked them for regular forces; for ten regiments of men. The Constitution had given him the power to do it. They should support him. Therefore he did trust that the bill, reported by the Military Committee, in conformity with his requisition, might be passed."

For the purpose of securing a speedy and honorable peace with Mexico, the President recommended that a sum of money should be appropriated, and placed in the power of the Executive, similar to that which had been made upon two former occasions, during the Administration of President Jefferson.

In pursuance of this recommendation, Mr. Sevier, Chairman of the Committee on Foreign Relations, reported the following bill :

"Be it enacted, That a sum of money, not exceeding three millions of dollars, be, and the same is hereby, appropriated, for the purpose of defraying any extraordinary expenses which may be incurred in order to bring the existing war with Mexico to a speedy and honorable conclusion, to be paid out of any money in the treasury not otherwise appropriated, and to be applied under the direction of the President of the United States, who shall cause an account of the expenditures thereof to be laid before Congress as soon as may be."

The design of the Committee in reporting this bill was to follow the precedents of Mr. Jefferson in reference to the acquisition of Louisiana in 1803, and the purchase of Florida in 1806, excluding all extraneous matter, and incorporating nothing that was calculated to excite sectional or party feeling, or to occasion protracted debate. Amendments, however, were offered to the bill—one by Mr. Berrien, of Georgia, declaring it to be the true intent and meaning of Congress, that the war ought not to be prosecuted with a view to territorial indemnity, and another by Mr. Upham, of Vermont, comprehending the pernicious doctrine of the "Wilmot Proviso." General Cass offered a substitute to the amendment of Mr. Berrien, to the effect, that the war should be vigorously prosecuted to a successful issue, and that a reasonable indemnity should be obtained from Mexico for the wrongs she has committed towards the Government of the United States, and that the nature and extent of such indemnity are proper subjects for Executive consideration, when negotiations for peace may be opened between this country and Mexico.

On the 10th of February, General Cass addressed the Senate in support of the THREE MILLION BILL, in a powerful and luminous exposition of the sophistries of the opponents of the Administration. He said, "I shall not touch any of the topics before us as a sectional man. I view them, and shall present them, as an American citizen, looking to the honor and interests of his country and of his whole country. In these great questions of national bearing, I acknowledge no geographical claims. What is best for the United States is best for me; and in that spirit alone shall I pursue the discussion." * * * *

"We are at war with Mexico, brought on by her injustice. Before peace is established we have a right to require a reasonable indemnity, either pecuniary or territorial, or both, for the injuries we have sustained. Such a compensation is just in itself, and in strict accordance with the usages of nations. One memorable proof of this has passed in our own times. When the allies entered Paris, after the overthrow of Napoleon, they compelled the French Government to pay them an indemnity of 1,500,000,000 francs, equal to \$300 000,000. In the condition of Mexico, there is no disposition in this country to ask of her an unreasonable sacrifice. On the contrary, the wish is everywhere prevalent, and I am sure the Government participate in it, that we should demand less than we are entitled to. No one proposes a rigid standard by which the indemnity shall be measured. But there are certain territorial acquisitions which are important to us, and whose cession cannot injure Mexico, as she never can hold them permanently. We are willing, after settling the indemnity satisfactorily, to pay for the excess in money. The Senator from South Carolina has stated the proposition very distinctly, 'any excess on our part we are willing to meet, as we ought, by the necessary payment to Mexico.'

"Information received by the President, during the last session of Congress, induced him to believe that if an appropriation for this purpose were made, the

difficulties between the two countries might soon be terminated by an amicable arrangement. A proposition for that purpose was submitted to us in secret session, debated and approved by this Senate. It was then introduced into the Legislature with open doors, passed the House of Representatives, and came to us. Here it was discussed until the stroke of the clock, when the hand on the dial-plate pointed to 12, struck its funeral knell. In his message at the commencement of this Congress, the President renewed his suggestion, and the whole matter is now before us. Such is its history.

"It is now objected to as an immoral proposition, a kind of bribery, either of the Government of Mexico, or of its commanding General; and the honorable Senator from Maryland, who is not now in his seat, said emphatically and solemnly, 'that this project of terminating the war by dismembering a sister Republic, is so revolting to my moral sense of propriety, honor, and justice, that I should see my arms palsied by my side, rather than agree to it.' The 'dismemberment' of which the honorable member speaks is previously defined by himself. That is the term he gives the acquisition, but I call it purchase. He says the money will go to Santa Anna and pay the army, which will thus be secured, and the poor 'down-trodden' people be transferred to this country 'in spite of themselves,' in consequence of this 'pouring of gifts into the hands of their tyrants.'

"Now, sir, there is no such proposition, as I understand it, nor any thing like it. The object of the President has been distinctly stated by himself. It is to have the money ready, and if a satisfactory treaty is signed and ratified, then to make a payment into the treasury of Mexico, which will be disposed of by the Government of that country, agreeably to its own laws. The propositions, both at the last session of Congress and at this, were identical. The difference in the phraseology of the appropriation has been satisfactorily explained by the Chairman of the Committee on Foreign Relations, and seems to me of very little consequence. Be that as it may, it is not a subject which can produce, of itself, any practical difficulty. For if there is any member of the Senate who is willing to vote for the appropriation in the form in which it was presented last year, and is unwilling to vote for it in this, the Committee on Foreign Relations will cheerfully assent to the substitution of the latter for the former. 'The principle is wrong,' says the honorable Senator from Maryland. But, in my view, the principle of this appropriation, and the other appropriation is precisely the same. And yet, the honorable Senator from Maryland voted for the former, while he reprobates the present, and a number of Senators on the other side of the chamber voted the last session in the same manner. If the proposition was bribery or unprincipled then, it seems to me it must be so now. Expediency may change with time, but right and wrong undergo no change.

"As to the idea that such an arrangement is something like bribery, it seems to me it will not bear the slightest investigation. A strange kind of bribery this! The appropriation called for was preceded by a message from the President to the Senate in secret session. It was then received in both Houses, and the doors thrown open. It was discussed fully, not to say warmly, and was finally lost by the lapse of time. In secret session thirty-three Senators voted for it. It again takes a prominent place in the President's message at the commencement of the present session of Congress. It has been before us between two and three months, and has been borne upon the wings of the wind to the remotest portions of our country. It entered Mexico long ago, and has been proclaimed upon every house top in town and country. It is known to every citizen of that Republic, who knows any thing of political affairs, whether the blood in his veins is Castilian, or Moorish, or Aztec. It has passed to Europe, and received the condemnations of many of its journals. Had it been approved there, I should doubt its policy or its justice. And, for aught I know, it is travelling

along the canals of the Celestial Empire. I repeat, a strange kind of bribery this! That is an offence which does its work in secret. This is a proposition made by one nation to another, in the face of the world. It is not to enable Mexico to carry on the war, as an Honorable Senator seems to suppose, for it is not to be paid till the war is over." * * * *

"But, sir, passing from the external view of our difficulties with Mexico, we have still an internal one to take, which involves much higher considerations. The causes of the war are a grave subject of discussion. Public opinion is investigating and pronouncing its judgement upon them. For myself, I have no fear of the result. The more the question is examined, the more manifest will be our wrongs, and the clearer our forbearance. In the President's last annual message, an interesting synopsis was given of the conduct of Mexico towards this country. No more conclusive review of national wrongs has ever appealed to the public opinion of this country, or of the world. It recapitulates, calmly, and with truth and force, the still accumulating wrongs we had suffered, and the final act which crowned them—the invasion of our country and the attack upon our army; an attack, which the Mexican authorities declared they would make as far east as the Sabine river.

"I shall not, Mr. President, go over the whole ground of our difficulties with Mexico. I regret that it becomes necessary to investigate their history in this place. I regret that unanimity does not prevail upon this subject, when unanimity is so essential to prompt and vigorous action. While I regret it, however, I impugn the motives of no one. Thank God we are as free to investigate the conduct of the Government as we are to breathe the air of heaven. But while I concede to others the same right, I claim for myself the right to examine freely, and to judge openly, the conduct of the Government in its intercourse with other nations—I may be allowed to express the regret, and together with the regret, surprise, that throughout the country one undivided sentiment had not prevailed—that the conduct of Mexico left us no choice between war and dishonor.

"We were the first to receive that Republic into the family of nations. Our complaints against her commenced almost with the commencement of her independence. They go back to the year 1817, and come down to the present day, in one almost uninterrupted series of outrages. I shall not state them *seriatim*, nor enter into the detail of their nature and extent. This has been repeatedly done, and the official documents are before the country. I will merely classify from an able report, made by Mr. Forsyth, in 1837, the various heads of complaints, which will present the general aspect of the subject.

1. Treasure belonging to citizens of the United States has been seized by Mexican officers in its transit from the capital to the coast.

2. Vessels of the United States have been captured, detained, and condemned, upon the most frivolous pretexts.

3. Duties have been exacted from others notoriously against law, or without law.

4. Other vessels have been employed, and, in some instances, ruined, in the Mexican service, without compensation to the owners.

5. Citizens of the United States have been imprisoned for long periods of time, without being informed of the offences with which they were charged.

6. Other citizens have been murdered and robbed by Mexican officers on the high seas, without any attempt to bring the guilty to justice. * * *

"As to the conventions which have since been made by the two countries, and violated by Mexico, I need not enter into their history; they are fresh in the recollection of all. These three conventions, by the infidelity of the Mexican Government, have proved nearly fruitless; and after thirty years of injury on the one side, and of remonstrance on the other, there is nothing left for us but to abandon all hope of redress, or to obtain it by a vigorous prosecution of

the war. * * * But it has been said that although sufficient causes of war existed on our part, still it was not these causes which provoked immediate hostilities. This view, if true, has relation to the expediency, and not to the justice of the war. But what are the general facts upon which a just conclusion can be formed? After the convention of Texas had decided that that Republic would annex herself to the United States, agreeably to the terms held out in the act of Congress, but before its consummation by a vote of the Texan people, we were under a strong moral obligation to protect her from any foreign invasion, and more particularly from any invasion to which she might be exposed by the manifestations of her intentions to attach herself to the United States. I shall not argue this point. No illustration can make it stronger. As soon, therefore, as the incipient steps had been taken, our troops entered Texas, by the invitation of the proper authorities, and on the 15th day of August, 1845, they had taken a position at Corpus Christi, west of the Nueces, and remained there till the 17th of March, 1846, when they marched for the Rio Grande. So much for our military movements.

"Two causes are alleged as giving Mexico just cause of war against the United States. The first, which is the annexation of Texas, is jointly urged both in Mexico and in this country. The second, which I believe finds its advocates only in the United States, is that our army occupied the country between the Nueces and the Rio Grande. As to the first, it has passed the ordeal of public opinion, and received its final judgment. * * * We claim Texas to the Rio Grande. I will not stop to examine the grounds of that claim. This has been explained and defended by others, more competent to the task than I am. * * * The Texas of Mexico was Texas to the Sabine, with no intermediate boundary to which we might go with impunity, and make the country our own. That river was a Rubicon, and it became us to pause and ponder on its banks, before we crossed its stream, and carried our standard to the country beyond. In all the communications of the Mexican Government, no distinction is made between the Nueces and the Rio Grande. And the occupation, by our forces, of the country between these rivers, which took place in August, 1845, was never presented as an exclusive cause of complaint, nor, indeed, noticed in any manner whatever. It was the annexation and occupation of Texas, and not of any particular portion of it, which led to the reclamations, and, finally, to the hostilities of Mexico. It was a question of title, and not of boundary, and would never be satisfied with the relinquishment of a part. * * * We had taken up a position peaceably within our own territory, as we claimed it, and with no intimation from our opponent that that position was any more an infraction of his rights, than would have been the occupation of the western bank of the Sabine. I repeat, that during eight months, we had been west of the Nueces, without one word of complaint for having passed that river."

The principle involved in the amendment of Senator Upham, (viz: "that there shall be neither slavery nor involuntary servitude in any territory which may be hereafter annexed to the United States,") is fraught with evil consequences. All the territory of the Union is the common property of all the States; every member, new or old, of the Union, admitted to partnership, under the Constitution, has a perfect right to enjoy the territory which is the common property of all. Some of it was acquired by treaties—much of it by cession from the older States—large quantities by purchase from Spain and France—large tracts again by the annexation of Texas—and the present war will add still more to the quantity yet to be entered. All this land, no matter whence it was derived, belongs to all the States jointly. The rights of all the citizens of the older States to emigrate with all their property whatsoever, and enjoy therewith the vacant lands, is perfect. The Constitution, by which the thirteen original slave States entered into a Union, which admitted Vermont as a slave State,

recognizes and guarantees slaves as the property of their owners. To set up, therefore, a pretence that if they adhere to the property they possess, they shall be deprived of their rights in the States to be formed in any acquired territory, is an unprincipled violation of a solemn treaty, an attack upon the Constitution, and a gross injustice to the rights of the neighboring States.

This right of property in slaves is guarantied as a municipal regulation ; it in no shape bears a national character under the Constitution. When these new States come into the Union they are controlled by the Constitution only ; and as that instrument permits slavery in all the States *that are parties to it*, how can Congress prevent it ? We do not pretend to deny, that if territory is to be conquered or purchased *for the purpose of extending slavery*, it is a violation of the Constitution ; but it is equally a violation of the Constitution for Congress to undertake to say that there shall be no slavery.

The views expressed by General Cass, on the 1st of March, 1847, in opposition to Senator Upham's amendment, are liberal and truly national. No sectional or local prejudice seem to operate on his mind ; he acts with a republican spirit, evincing an anxious desire to preserve, unimpaired, the well settled compromises of the Constitution. He said :

"What sort of a spectacle does this proceeding present to the world ? Disguise it as we may, it is a Mexican cession we are looking to, and Mexican territory we are preparing to govern. We are gravely stopping in the midst of our legitimate duties, while deficient supplies, a defective organization, an insufficient force, demand legislative action ; and while the President is appealing to us for the means of prosecuting the war vigorously and successfully, we are stopping in order to regulate the condition of countries, extending to the Pacific ocean ; and which, if they are ever ours, must become so, after the vicissitudes of war shall have established our power, and reduced the enemy to submission. I doubt if history furnishes another such instance of legislative farsightedness.

"I shall (said Mr. C.) vote against the proviso, because,

1. The present is no proper time for the introduction into the country, and into Congress, of an exciting topic, tending to divide us, when our united exertions are necessary to prosecute the existing war.

2. It will be quite in season to provide for the Government of territory, not yet acquired from foreign countries, after we shall have obtained it.

3. The proviso can only apply to British and Mexican territories, as there are no others coterminous to us. Its phraseology would reach either, though its application is pointed to Mexico. It seems to me, that to express so much confidence in the successful result of this war, as to legislate at this time, if not over this anticipated acquisition, at least, for it, and to lay down a partial basis for its government, would do us no good in the eyes of the world, and would irritate, still more, the Mexican people.

4. Legislation now would be wholly imperative, because no territory hereafter to be acquired can be governed without an act of Congress providing for its government. And such an act, on its passage, would open the whole subject, and would leave the Congress, called upon to pass it, free to exercise its own discretion, entirely uncontrolled by any declaration found on the statute book.

5. There is great reason to think, that the adoption of this proviso would, in all probability, bring the war to an untimely issue, by the effect it would have on future operations.

6. Its passage would certainly prevent the acquisition of one foot of territory ; thus defeating a measure called for by a vast majority of the American people, and defeating it, too, by the very act purporting to establish a partial basis for its government."

The great national calamity which befel Ireland during the years 1846-7, was deplored and lamented by all. The appalling and distressing scenes which occurred in that unhappy Isle, attracted the attention of every philanthropist. In the United States Senate, on the 26th of February, 1846, Senator Crittenden, of Kentucky, reported a bill, appropriating \$500,000 "for the relief of the people of Ireland and Scotland, suffering from the great calamity of scarcity and famine." The bill was supported by General Cass in the following pertinent and eloquent speech.

He said: "As one member of this body, he felt obliged to the Senator from Kentucky for the motion he had submitted, and for the appropriate remarks with which he had introduced it. He has expressed my sentiments, but with an eloquence peculiarly his own. While physical want is unknown in our country, the angel of death is striking down the famishing population of Europe, and especially the suffering people of Ireland. The accounts which reach us from that country indicate a state of distress, in extent and degree, far exceeding any previous experience in modern times. It is a case beyond the reach of private charity. Its fountains are drying up before the magnitude of the evil. It is a national calamity, and calls for national contributions. The starving millions have no Egypt 'where they can go and buy corn, that they may live and not die.' From our granary of abundance let us pour forth supplies. Ireland has strong claims upon the sympathy of the United States. There are few of our citizens who have not Irish blood in their veins. That country has sent out a large portion of the emigrants who have added numbers to our population, industry and enterprise to our capital, and the other elements of power and prosperity which are doing that mighty work, from the Atlantic to the Pacific, that is already exciting the admiration of the old world, and will stimulate, by its example, the exertions of the new. Our population of Irish descent have fought the battles of the country with as much zeal and bravery as any class of citizens. And from the heights of Abraham, where Montgomery fell, to the walls of Monterey, their blood has been poured out like water in defence of liberty. We can now send to Ireland, not, indeed, what she has sent to us, her children—those we cannot part with—but food for their relatives, our friends, upon whom the hand of God is heavily laid. In a petition presented yesterday, by the Senator from New York, was a suggestion which I am gratified to find embodied in the bill reported by the Senator from Kentucky, and which I should be happy to see carried into effect—to employ, in the transportation of provisions, such of the armed ships of the United States as are not required for the operations of war. It would be a beautiful tribute to the advancing spirit of the age. The messenger of death would thus become a messenger of life; the agents of destruction, agents of preservation; and our eagle, which has flown above them, and carried our arms to the very coasts of Ireland, would thus become the signal of hope, where it has been the signal of defiance. I shall lend the bill my support with great pleasure."

CHAPTER X.

The first session of the thirtieth Congress commenced on the 6th of December, 1847. General Cass was selected as chairman of the Committee on Military Affairs, the position he now holds. The President, in his annual message, gave a succinct account of the rapid and brilliant successes of our arms in Mexico, and the vast extent of the enemy's territory which had been overrun. He asked for authority to raise an additional regular force to serve during the war

with Mexico, and to be discharged upon the conclusion and ratification of a treaty of peace.

It is not our design to enter into a vindication of the policy and measures of the National Administration in relation to the Mexican war. But we cannot refrain from saying that the United States did all that justice and magnanimity, good will, and even forbearance required, to avoid the dire calamities of war, and procure a peaceful settlement of a boundary. Mexico had both done and threatened injury to the United States. She had violated her treaties, insulted her nation through our ministers, suspended all intercourse, and continually menaced us with hostilities. We feel confident that our country was right in what has been done, and that the conduct of its rulers is justified before the country, the nations of the earth, and the God of battles.

In compliance with the wishes of the President, a bill was accordingly reported in the Senate from the Committee on Military Affairs, to raise ten additional regiments of regulars. General Cass' speech, on the 17th March, in defence of the bill, and intended to be a closing review of the whole debate, will be found to present a most comprehensive and cogent refutation of the main positions taken by the opponents of the war.

The Washington correspondent of the "Albany Argus" says, that "the speech of General Cass on closing the debate on the ten regiment bill, is regarded here as a brilliant and unanswerable defence of the policy of the Government in relation to the Mexican war. It is more; it is an able and comprehensive view of the great principles of human progress, as they are embodied in our frame of republican Government. It is a performance that looks beyond the limited bounds of sectional and party strifes, and takes up the vindication of our country on its broad principles, and I am greatly deceived if the yeomanry of the country does not accept it as a triumphant exposition of its character and rights before the world. With the personal knowledge which the General had of the courts and policy of Europe, and the leading features of its history, in war and peace, it was impossible for him not to cast a glance over the wide and varied scenes where its nations have marched armies and concluded treaties of peace. The survey which he has given of these scenes is at once rapid, bold, and comprehensive. He has observed with the eye of a soldier, and he speaks with the voice of a statesman. Those who heard him in the Senate, speak of it as having produced a thrilling effect; and no one can read the report of it without being proud of his country, in having men of this stamp to rise up and bear testimony in its behalf."

From a revised copy of General Cass' speech above referred to, we make the following extract:

"The Senator (Mr. Calhoun) says also that the passage of this bill will be mischievous in Mexico, because it will animate some of the parties into which that unhappy country is divided, to increased exertions against us. If this be so, it presents to me a new chapter in human nature. When our country is at war, or apparently approaching it, to put on an armor and an attitude befitting the occasion, would be, according to this new principle of national intercommunication, impolitic, if not dangerous, as it would excite the enemy to more vigorous action. Mr. President, it is not thus I have read history, and it not thus that public disputes are brought to satisfactory termination. If in peace to prepare for war, is a wise sentiment, now become an axiom, certainly, when hostilities have actually commenced, and two Powers are contending for the mastery, if one relaxes its preparations for fear of animating the exertions of the other, it is not difficult to foresee to what dishonor such a course, whether originating in pusillanimity or false magnanimity, must necessarily lead." * * *

"The Senator from South Carolina, instead of a vigorous prosecution of the war, proposes to withdraw our troops from the other portions of the Mexican

country, and to establish them upon a line which shall be the boundary of the territory which we intend to hold. This proposition has, in substance, been twice before made by the honorable Senator—once at the last session of Congress, and once, some weeks since, at the present. He supported his views then, and now, with that force which marks his reasoning. But while he interested, he did not convince me. There never was such a line—there never will be such a one. I say it with all due deference, but with a perfect conviction of the truth, that such a line is impossible. That which the Senator proposes runs from the Rio Grande to the Paso del Norte, probably about eight hundred miles; and thence, with a deflection not necessary to notice, to the Pacific ocean, which is little less than an equal distance; making, upon the whole route, probably 1,500 miles. The force required to defend the line of the Rio Grande, the honorable Senator does not give; but he thinks a small one would be sufficient. I have conversed with one of our ablest Generals upon this subject, and he considers 20,000 men necessary to the defence of the Rio Grande frontier.

“From the Paso del Norte to the Gulf of California, the Senator from South Carolina thinks that one regiment and a few small vessels of war would be an adequate protection against Mexicans and Indians. What effect armed vessels can have in the defence of a line which stretches six hundred miles beyond them, as I do not comprehend, I will not stop to inquire. Their guns would probably command the beach, off which they might anchor, if they anchored near enough. But I do not believe that a Mexican guerilla would place himself within their reach in order to cross a line open to him in all directions. As to the regiment, if equally divided, its number fit for duty would probably give one man to every mile of distance between the Paso and the Gulf; certainly not more.” * * *

“Sent here as practical men, to deal with the interests of our country, we must not be diverted from the true path marked out by the experience and the usages of the world, by crude speculations and misplaced philanthropy. We were aggrieved and injured, and could obtain no redress; and we were entitled to take our remedy into our own hands, in order to obtain that justice which was pertinaciously withheld from us. The most superficial reader of modern history, the most casual observer of passing events, must know that outrages far less flagrant in their character than those committed by Mexico against us, have occasioned half the wars of modern times.

“But, sir, I am well aware that these considerations apply only to our just right to declare war against Mexico at any time within the last twenty years. We did not commit the offensive. Mexico herself struck the first stroke; and why? Because Texas was annexed to the United States. I recollect the gentlemen on the other side of the chamber thought there was some fluttering in our ranks, when this avowal was first made. But there was none whatever, sir. We concede the proposition in its fullest extent, that this annexation was the cause of war. How then, sir, stands this great question, as to the justice of its commencement.

“Texas, a constituent portion of the Mexican Republic, declared itself independent, as Mexico, a constituent portion of the Spanish monarchy, had done before it, and asserted and maintained its rights by a revolution.

“The war between these two powers continued for sometime, with varying success, till 1836, when a Mexican army, led by the Chief Magistrate of the Republic, was conquered, and dispersed, or made prisoners, and the commander himself captured.”

“After the month of June of that year, Texas continued in the undisturbed possession of her independence, and no effort was made to reduce her, not a single Mexican party, with the exception, I understand, of two predatory incursions,

having since ever made an inroad into her territory. The war was, in fact, at an end.

"In the meantime, the independence of Texas was acknowledged by the United States, and by some of the other principal powers of the world; and she was permitted to take her equal station among the nations of the earth.

"But it has been said—not in Mexico, but here—that the origin of the war was not in the annexation of Texas, but because we carried her boundary to the Rio Grande, and took possession of the country between the Nueces and that river. Who says this, Mr. President? Not the Government or people of Mexico, but citizens of our own country, who find a cause of offence for the enemy, which they have failed to discover for themselves. The Nueces is an American, not a Mexican boundary. The Texas of Mexico was Texas to the Sabine, with no intermediate boundary. In all the communications with the Mexican Government, as I have had occasion to say before, no distinction is made between the Nueces and the Rio Grande. And the occupation by our forces of the country between these rivers, was never presented as an exclusive cause of complaint, nor, indeed, noticed in any manner whatever. It was the annexation and occupation of Texas, and not of any particular portion of Texas, which led to the reclamation, and finally, to the hostilities of Mexico. It was a question of title, and not of boundary; a claim of right, which went for the whole, and would never be satisfied with the relinquishment of a part."

General CASS, in the same speech, advocated a vigorous, efficient, and prompt prosecution of the war, until the Mexican people are satisfied of their inability to resist us, and are disposed to make a reasonable peace. He alluded to the overweening vanity of the Mexican people, and referred to the divisions which prevail in our councils, and to the opposition which the legislative measures of the war had to encounter. He continued, "the remedy for all this is a palpable one; it is founded in human nature: increase your forces, extend your operations, overrun district after district, establish yourself in city after city, awaken the Mexicans from their lethargy of false hopes, and let them feel that they have no recourse but to do us justice. And add to all this, union in our councils at home, which, after all, is the first element of prompt success. Postpone our internal difficulties till our external ones are adjusted. One unanimous vote in each of these two halls, evincing a determination to prosecute the war with all our strength, would be better than an army with banners. It would be a moral force that would proclaim our power, and conquer the peace we so much desire."

Speaking of the objects of the war, General CASS said, that "one single word fully expressed his views upon this subject, and that word is ACQUISITION. The object of the war is an honorable peace, and that peace can best be obtained by an adequate compensation for the injuries done us by Mexico; and that compensation must be made in territory, as it can be made in nothing else."

We have thus placed in as concise and condensed a form as possible, the views of General CASS concerning the war with Mexico. That he has uttered the sentiments of a large majority of the American people, we cannot permit ourselves for one moment to doubt. The bold, manly, and patriotic stand taken by him, from the very moment that Mexico presented herself in a hostile attitude to the present hour, commends itself to the grateful remembrance of our countrymen. His positions are broad, independent, and unqualified. His country's cause—his nation's honor—his people's rights, are the principles he asserts—the ground he goes upon. That his views of Government are liberal, enlarged, extended, progressive, and thoroughly Democratic, we have but to refer to his speeches on the "propriety of sending a minister to the Papal States," and his remarks on the "late French revolution"—the former delivered in the United States Senate on the 21st of March—the latter at a public meeting in the city of Washington on the 28th of March.

The President, in his last annual message, recommended the opening of diplomatic relations with the Pope. The interesting political events which had taken place in Italy, as well as a just regard to our commercial interests rendered such a measure highly expedient. All eyes have been for sometime fixed with an attentive gaze upon the affairs of the Papal States, and the civilized world has viewed with an interest scarcely before equalled, the events which have accompanied the religious and political reforms which Pope Pius IX has carried out with so stern, so fearless, and so impartial a hand. That able national magazine, the *Democratic Review*, in referring to these late reforms, considers the Roman Catholic Church as standing in unparalleled grandeur; the greatest of all christian denominations; and the magnificence, extension, and solidity of her institutions and tenets, furnish a subject deserving the most extensive research and the minutest inquiry.

In accordance with the recommendation of the President, a bill was introduced for the appointment of a *Charge d'Affaires* to the Papal States. General CASS advocated the appointment of a minister of the highest grade. He said:

"We cannot mistake, and ought not to misunderstand, these signs of the times. Human rights are everywhere advancing, or rather, man is awakening to a knowledge of his rights, and a conviction of his strength. The desire of liberty is an instinctive feeling in the human breast; but the practical enjoyment of liberty secured against wild licentiousness, is a problem sometimes of difficult solution. It was solved here by our institutions, by the nature of our society, and by the intelligence of our people. In fact, we were always free; and it was rather the fear of oppression, the fear of the consequences of the establishment of British legislative supremacy in our internal concerns, than any actual oppression, which drove our fathers to resistance, and taught that blessed lesson of equal rights, which the world, if slow, is sure to learn. But in other countries, under less favorable circumstances, where despotism has entered into the social system, the road to free governments is beset with trials and difficulties. The habits of society must be changed, and this, itself, is no easy task in the old regions of the eastern hemisphere. Effort after effort has often been made; but experience and knowledge are acquired at every step of the progress, and the public mind is enlightened by the conflict itself. Excesses have taken place, which, while they cannot be justified, find much alleviation in the condition of things. Revolutions are made here by the ballot box, but in Europe by the cartridge box. Political intelligence, however, comes with time and experience, and if it comes with trials and sufferings, its advent is not the less certain, and will not prove the less efficacious. National struggles constitute a great school, where lessons of freedom are learned; and though they may be often checked and interrupted, still their progress is onward, and the result, we may hope, beyond the reach of arbitrary power. We are no propagandists. We acknowledge the right of all other people to establish and maintain their own Governments in their own way, content to enjoy the same privilege ourselves. This has always been our principle, and I hope always will be; but we cannot shut our eyes to what is going on in the political world, nor ought we to shut our hearts against the emotions they naturally excite. If we ought not to give them our aid, we can give them our sympathy; and the sympathy of twenty millions of people cannot but exert a happy influence upon the struggling masses, contending for themselves, in our day, for what our fathers acquired for us in theirs.

"It seems to me the Pope has shown himself both a wise and a liberal sovereign. Nothing proves his favorable disposition towards political meliorations better than the unquiet jealousy with which he is regarded by the despotic powers of Europe. Immediately on his elevation to the chair of St. Peter, this feeling manifested itself, in consequence of his avowed determination to reform

the errors and abuses of his Government. * * * It is doubted here, sir, whether the Protestant powers of continental Europe maintain diplomatic relations with the Papal Government. There is no room for the doubt; none whatever. Protestant representatives reside at Rome, and Papal agents are found in Protestant countries. One of the most celebrated historians of our times, Niebuhr, was for many years Minister from Russia, at the Papal Court, and I found his successor there in 1837, Mr. Bunsen, a name scarcely inferior to the other, in all the investigations connected with the history of ancient Rome. I hope, sir, that provision will be made for sending a Minister of the highest grade to the Roman Court; and that we shall take our place among the representatives of the great family of nations, in a city where events of the highest importance to the destiny of the human race are passing and to pass."

Upon the 28th of March, the citizens of Washington and a number of members of Congress, assembled to congratulate the French people upon the liberty which they have acquired, and the free principles they have established as the basis of their Government. For some days prior to the assemblage of the meeting, the "National Intelligencer" took a definite position against the great popular movement. In its tirade upon this subject, it attempted to distort and misrepresent the opinions of General CASS, as expressed in his work to which we have previously referred, "France, its Court and King."

The General, in his address before the "Washington meeting," after expressing the deep sympathy and interest he felt in the glorious and auspicious movement of the French nation, thus speaks of the charges of the Intelligencer. He said:

"I should not have said one word to you to-night, my fellow-citizens, had I not been induced to do so by a particular circumstance. A few years since, when in France, I published in the *Democratic Review*, some remarks upon the condition of that country. Among these were allusions to the *emeutes*, which were often breaking out in the streets of Paris, and occasioning consternation and alarm to the quiet citizens, who were disturbed in their occupations by the din of arms, and sometimes by bloody conflicts in the midst of their city; and all this without the least beneficial result, or any expectation of it. They were not revolutions; they were riots and insurrections. I communicated, also, the facts as disclosed by the witnesses on the trials of persons indicted for these offences. It was shown conclusively, that the persons engaged in them, belonged to secret societies, sworn to abolish the Christian religion, to destroy all rights of property, and to overturn, in fact, social order. I was describing, more particularly, what, in France, were technically called the *days of May*, 1839. The sentiments of a journal, which favored these proceedings, may be judged by the term which it employs, when speaking of the United States, whose Government it calls 'a ridiculous Republic, and a moneyed aristocracy.' The following quotations mark its spirit and objects:

"'It is, without doubt, beautiful to be an athiest, but that is not enough,' &c.

"It ought to say, 'all that is connected with religious worship is contrary to our progress; while, at the same time, whenever people are religious, they talk nonsense.'"

"My condemnation of such principles has recently been construed into a condemnation of the principles of revolutions brought about by the people seeking the redress of their grievances. There never was a feeling of my heart, a word of my mouth, nor an act of my life, which would give any man a right to call in question my sympathy with the struggling masses, or the sincerity of my hopes for their success; and I defy any man to quote from my remarks, upon the condition of France, one single sentence inconsistent with the progress of national liberty."

Though we have already referred to the patriotic and straightfoward course of General Cass, in relation to the Mexican War and the Wilmot Proviso, the following letter addressed to the Hon. A. O. P. Nicholson, of Nashville, Tennessee presents his views in a still more condensed form :

WASHINGTON, *December 24, 1847.*

DEAR SIR : I have received your letter and shall answer it as frankly as it is written.

You ask me whether I am in favor of the acquisition of Mexican territory, and what are my sentiments with regard to the Wilmot Proviso ?

I have so often and so explicitly stated my views of the first question, in the Senate, that it seems almost unnecessary to repeat them here. As you request it, however, I shall briefly give them.

I think, then, that no peace should be granted to Mexico, till a reasonable indemnity is obtained for the injuries which she has done us. The territorial extent of this indemnity is, in the first instance, a subject of Executive consideration. There the Constitution has placed it, and there I am willing to leave it, not only because I have full confidence in its judicious exercise, but because, in the ever-varying circumstances of a war, it would be indiscreet, by a public declaration, to commit the country to any line of indemnity which might otherwise be enlarged, as the obstinate injustice of the enemy prolongs the contest, with its loss of blood and treasure.

It appears to me that the kind of metaphysical magnanimity, which would reject all indemnity at the close of a bloody and expensive war, brought on by a direct attack upon our troops by the enemy, and preceded by a succession of unjust acts for a series of years, is as unworthy of the age in which we live, as it is revolting to the common sense and practice of mankind. It would conduce but little to our future security, or, indeed, to our present reputation, to declare that we repudiate all expectation of compensation from the Mexican Government, and are fighting, not for any practical result, but for some vague, perhaps philanthropic object, which escapes my penetration, and must be defined by those who assume this new principle of national intercommunication. All wars are to be deprecated, as well by the statesman, as by the philanthropist. They are great evils, but there are greater evils than these, and submission to injustice is among them. The nation which should refuse to defend its rights and its honor, when assailed, would soon have neither to defend ; and when driven to war, it is not by professions of disinterestedness and declarations of magnanimity, that its rational objects can be best obtained, or other nations taught a lesson of forbearance—the strongest security for permanent peace. We are at war with Mexico, and its vigorous prosecution is the surest means of its speedy termination, and ample indemnity the surest guarantee against the recurrence of such injustice as provoked it.

The Wilmot Proviso has been before the country some time. It has been repeatedly discussed in Congress, and by the public press. I am strongly impressed with the opinion that a great change has been going on in the public mind upon this subject—in my own as well as others ; and that doubts are resolving themselves into convictions, that the principles it involves should be kept out of the National Legislature, and left to the people of the Confederacy in the respective local governments.

The whole subject is a comprehensive one, and fruitful of important consequences. It would be ill-timed to discuss it here. I shall not assume that responsible task, but shall confine myself to such general views as are necessary to the fair exhibition of my opinions.

We may regret the existence of slavery in the Southern States, and wish they had been saved from its introduction. But there it is, and not by the act of the present generation ; and we must deal with it as a great practical question, involving the most momentous consequences. We have neither the right nor

the power to touch it where it exists ; and if we had both, their exercise, by any means heretofore suggested, might lead to results which no wise man would willingly encounter, and which no good man could contemplate without anxiety.

The theory of our Government presupposes that its various members have reserved to themselves the regulation of all subjects relating to what may be termed their internal police. They are sovereign within their boundaries, except in those cases, where they have surrendered to the General Government a portion of their rights, in order to give effect to the objects of the Union, whether these concern foreign nations or the several States themselves. Local institutions, if I may so speak, whether they have reference to slavery, or to any other relations, domestic or public, are left to local authority, either original or derivative. Congress has no right to say that there shall be slavery in New York, or that there shall be no slavery in Georgia ; nor is there any other human power but the people of those States, respectively, which can change the relations existing therein ; and they can say, if they will, we will have slavery in the former, and we will abolish it in the latter.

In various respects, the Territories differ from the States. Some of their rights are inchoate, and they do not possess the peculiar attributes of sovereignty. Their relation to the General Government is very imperfectly defined by the Constitution ; and it will be found, upon examination, that in that instrument the only grant of power concerning them is conveyed in the phrase " Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory and other property belonging to the United States." Certainly this phraseology is very loose, if it were designed to include in the grant the whole power of legislation over persons, as well as things. The expression, the " territory and other property," fairly construed, relates to the public lands, as such, to arsenals, dock-yards, forts, ships, and all the various kinds of property which the United States may, and must possess.

But surely the simple authority to *dispose of and regulate* these, does not extend to the unlimited power of legislation ; to the passage of all *laws*, in the most general acceptation of the word, which, by the by, is carefully excluded from the sentence. And, indeed, if this were so, it would render unnecessary another provision of the Constitution, which grants to Congress the power to legislate, with the consent of the States, respectively, over all places purchased for the " erection of forts, magazines, arsenals, dock-yards," &c. These being the "*property*" of the United States, if the power to make " needful rules and regulations concerning" them, includes the general power of legislation, then the grant of authority to regulate " the territory and other property of the United States" is unlimited, wherever subjects are found for its operation, and its exercise needed no auxiliary provision. If on the other hand, it does not include such power of legislation over the " other property" of the United States, then it does not include it over their "*territory*;" for the same terms which grant the one, grant the other. "*Territory*" is here classed with property, and treated as such ; and the object was evidently to enable the General Government, as a property-holder, which, from necessity, it must be to manage, preserve, and "*dispose of*" such property as it might possess, and which authority is essential, almost to its being. But the lives and persons of our citizens, with the vast variety of objects connected with them, cannot be controlled by an authority, which is merely called into existence for the purpose of making *rules and regulations for the disposition and management of property*.

Such, it appears to me, would be the construction put upon this provision of the Constitution, were this question now first presented for consideration, and not controlled by imperious circumstances. The original ordinance of the Congress of Confederation, passed in 1787, and which was the only act upon this subject in force at the adoption of the Constitution, provided a complete frame of Government for the country north of the Ohio, while in a territorial condition,

and for its eventual admission, in separate States, into the Union. And the persuasion, that this ordinance contained, within itself, all the necessary means of execution, probably prevented any direct reference to the subject in the Constitution, further than vesting in Congress the right to admit the States formed under it into the Union. However, circumstances arose which required legislation, as well over the territory north of the Ohio, as over other territory; and, within and without the original Union, ceded to the General Government; and, at various times, a more enlarged power has been exercised over the Territories—meaning thereby, the different Territorial Governments—than is conveyed by the limited grant referred to. How far an existing necessity may have operated in producing this legislation, and thus extending, by rather a violent implication, powers not directly given, I know not. But, certain it is, that the principle of interference should not be carried beyond the necessary implication which produces it. It should be limited to the creation of proper governments for new countries, acquired or settled, and to the necessary provision for their eventual admission into the Union; leaving, in the meantime, to the people inhabiting them, to regulate their internal concerns in their own way. They are just as capable of doing so as the people of the States; and they can do so, at any rate, as soon as their political independence is recognized by admission into the Union. During this temporary condition, it is hardly expedient to call into exercise a doubtful and invidious authority, which questions the intelligence of a respectable portion of our citizens, and whose limitation, whatever it may be, will be rapidly approaching its termination—an authority which would give to Congress despotic power, uncontrolled by the Constitution, over most important sections of our common country. For, if the relation of master and servant may be regulated or annihilated by its legislation, so may the relation of husband and wife, of parent and child, and of any other condition which our institutions and the habits of our society recognize. What would be thought if Congress should undertake to prescribe the terms of marriage in New York, or to regulate the authority of parents over their children in Pennsylvania? And yet it would be as vain to seek one justifying the interference of the National Legislature in the cases referred to in the original States of the Union. I speak here of the inherent power of Congress, and do not touch the question of such contracts as may be formed with new States when admitted into the confederacy.

Of all the questions that can agitate us, those which are merely sectional in their character are the most dangerous, and the most to be deprecated. The warning voice of him who, from his character, and services, and virtue, had the best right to warn us, proclaimed to his countrymen, in his farewell address—that monument of wisdom for him, as I hope it will be of safety for them—how much we had to apprehend from measures peculiarly affecting geographical portions of our country. The grave circumstances in which we are now placed make these words words of safety; for I am satisfied, from all I have seen and heard here, that a successful attempt to engraft the principles of the Wilmot Proviso upon the legislation of this Government, and to apply them to new territory, should new territory be acquired, would seriously affect our tranquility. I do not suffer myself to foresee or foretell the consequences that would ensue; for I trust and believe there is good sense and good feeling enough in the country to avoid them, by avoiding all occasions which might lead to them. Briefly, then, I am opposed to the exercise of any jurisdiction by Congress over this matter; and I am in favor of leaving to the people of any territory which may be hereafter acquired, the right to regulate it for themselves, under the general principles of the Constitution. Because,

1st. I do not see in the Constitution any grant of the requisite power to Congress; and I am not disposed to extend a doubtful precedent beyond its necessity—the establishment of Territorial Governments when needed—leaving to the inhabitants all the rights compatible with the relations they bear to the Confederation.

2. Because I believe this measure, if adopted, would weaken, if not impair, the union, of the States; and would sow the seeds of future discord, which would grow up and ripen into an abundant harvest of calamity.

3. Because I believe a general conviction that such a proposition would succeed, would lead to an immediate withholding of the supplies, and thus to a dishonorable termination of the war. I think no dispassionate observer at the seat of Government can doubt this result.

4. If, however, in this I am under a misapprehension, I am under none in the practical operation of this restriction, if adopted by Congress, upon a treaty of peace making any acquisition of Mexican territory. Such a treaty would be rejected just as certainly as presented to the Senate. More than one-third of that body would vote against it, viewing such a principle as an exclusion of the citizens of the slaveholding States from a participation in the benefits acquired by the treasure and exertions of all, and which should be common to all. I am repeating—neither advancing nor defending these views. That branch of the subject does not lie in my way, and I shall not turn aside to seek it.

In this aspect of the matter, the people of the United States must choose between this restriction and the extension of their territorial limits. They cannot have both; and which they will surrender must depend upon their Representatives first, and then, if these fail them, upon themselves.

5. But, after all, it seems to be generally conceded, that this restriction, if carried into effect, could not operate upon any State to be formed from newly acquired territory. The well known attributes of sovereignty, recognized by us as belonging to the State Governments, would sweep before them any such barrier, and would leave the people to express and exert their will at pleasure. Is the object, then, of temporary exclusion for so short a period as the duration of the Territorial Governments, worth the price at which it would be purchased? Worth the discord it would engender, the trial to which it would expose our Union, and the evils that would be the certain consequence, let that trial result as it might? As to the course which has been intimated, rather than proposed, of engrafting such a restriction upon any treaty of acquisition, I persuade myself it would find but little favor in any portion of this country. Such an arrangement would render Mexico a party, having a right to interfere in our internal institutions in questions left by the Constitution to the State Governments, and would inflict a serious blow upon our fundamental principles. Few, indeed, I trust, there are among us who would thus grant to a foreign power the right to inquire into the Constitution and conduct of the sovereign States of this Union; and if there are any, I am not among them, and never shall be. To the people of this country, under God, now and hereafter, are its destinies committed; and we want no foreign power to interrogate us, treaty in hand, and to say, why have you done this, or why have you left that undone? Our own dignity and the principles of national independence unite to repel such a proposition.

But there is another important consideration, which ought not to be lost sight of in the investigation of this subject. The question that presents itself is not a question of the increase, but of the diffusion of slavery. Whether its sphere be stationary or progressive, its amount will be the same. The rejection of this restriction will not add one to the class of servitude, nor will its adoption give freedom to a single being who is now placed therein. The same numbers will be spread over greater territory; and so far as compression, with less abundance of the necessaries of life, is an evil, so far will that evil be mitigated by transporting slaves to a new country, and giving them a larger space to occupy.

I say this in the event of the extension of slavery over any new acquisition. But can it go there? This may well be doubted. All the descriptions which reach us of the condition of the Californias and of New Mexico, to the acquisition of which our efforts seem at present directed, unite in representing those countries as agricultural regions, similar in their products to our middle States, and generally unfit

for the production of the great staples which can alone render slave labor valuable. If we are not grossly deceived—and it is difficult to conceive how we can be—the inhabitants of those regions, whether they depend upon their ploughs or their herds, cannot be slaveholders. Involuntary labor, requiring the investment of large capital, can only be profitable when employed in the production of a few favored articles confined by nature to special districts, and paying larger returns than the usual agricultural products spread over more considerable portions of the earth.

In the able letter of Mr. Buchanan upon this subject, not long since given to the public, he presents similar considerations with great force. “Neither,” says this distinguished writer, “the soil, the climate, nor the productions of California south of $36^{\circ} 30'$, nor, indeed, of any portion of it, north or south, is adapted to slave labor; and besides, every facility would be there afforded for the slave to escape from his master. Such property would be entirely insecure in any part of California. It is morally impossible, therefore, that a majority of the emigrants to that portion of the territory south of $36^{\circ} 30'$, which will be chiefly composed of our citizens, will ever re-establish slavery within its limits.

“In regard to New Mexico, east of the Rio Grande, the question has already been settled by the admission of Texas into the Union.

“Should we acquire territory beyond the Rio Grande and east of the Rocky Mountains, it is still more impossible that a majority of the people would consent to *re-establish* slavery. They are themselves a colored population, and among them the negro does not belong socially to a degraded race.”

With this last remark Mr. Walker fully coincides. in his letter written in 1814, upon the annexation of Texas, and which everywhere produced so favorable an impression upon the public mind, as to have conduced very materially to the accomplishment of that great measure. “Beyond the Del Norte,” says Mr. Mr. Walker, “slavery will not pass; not only because it is forbidden by law, but because the colored race preponderates in the ratio of ten to one over the whites; and holding, as they do, the Government and most of the offices in their possession, they will not permit the enslavement of any portion of the colored race which makes and executes the laws of the country.”

The question, it will be therefore seen on examination, does not regard the exclusion of slavery from a region where it now exists, but a prohibition against its introduction where it does not exist, and where, from the feelings of the inhabitants and the laws of nature, “it is morally impossible,” as Mr. Buchanan says, that it can ever re-establish itself.

It augurs well for the permanence of our Confederacy, that during more than half a century which has elapsed since the establishment of this Government, many serious questions, and some of the highest importance, have agitated the public mind, and more than once threatened the gravest consequences, but that they have all in succession passed away, leaving our institutions unscathed, and our country advancing in numbers, power, and wealth, and in all the other elements of national prosperity, with a rapidity unknown in ancient or in modern days. In times of political excitement, when difficult and delicate questions present themselves for solution, there is one ark of safety for us, and that is, an honest appeal to the fundamental principles of our Union, and a stern determination to abide their dictates. This course of proceeding has carried us in safety through many a trouble, and I trust will carry us safely through many more, should many more be destined to assail us. The Wilmot Proviso seeks to take from its legitimate tribunal a question of domestic policy, having no relation to the Union, as such, and to transfer it to another created by the people for a special purpose, and foreign to the subject-matter involved in this issue. By going back to our true principles, we go back to the road of peace and safety. Leave to the people, who will be affected by this question, to adjust it upon their own responsibility, and in their own manner, and we shall render another tri-

bute to the original principles of our Government, and furnish another guarantee for its permanence and prosperity.

I am, dear sir, respectfully, your obedient servant,

LEWIS CASS."

On the 6th of April, resolutions passed the Senate declaring, "that in the name and behalf of the American people, the congratulations of Congress are hereby tendered to the people of France, upon the success of their recent efforts to consolidate the principles of liberty in a republican form of Government." General CASS delivered an eloquent speech in support of the resolutions, in which he said:

"What do we propose to do, sir? To congratulate the French people upon the liberty which they have just acquired, and the free principles they have established as the basis of their Government. We believe that our congratulations, at this time, will not only be acceptable to them, but useful to the great cause of freedom throughout the world. This tribute from the oldest, and, unfortunately, I may add, from almost the only Republic, free from internal dissensions, to a great nation just entering into the career of self-government, will be received and welcomed in France as a proof of interest and solicitude, naturally arising out of the past, and encouraging for the future. And especially will it be acceptable at the commencement of the great work, when the new born republic finds itself surrounded with powerful monarchical Governments, jealous of the progress of liberty, and whose very existence may be put to hazard by the portentous event, which is fixing the gaze of mankind. * * *

"Our desire is to congratulate the French people upon what they have actually done, leaving to Him who holds in his hand the fate of nations, to guide their future destiny by his own good pleasure. They have done enough to merit congratulations from every human being who loves liberty, or who hopes for its enjoyment by the nations of the earth. They have resisted oppression; a series of efforts which, if not resisted, would have shown that they were fit only for the bonds preparing for them; the least of which would have roused up twenty millions of Americans, as one man, to fight the battle of liberty, and to gain it.

They have overturned the late Government, and established one of their own and with a spirit of wisdom and moderation, which, under all the circumstances has been rarely equalled in the world. The act of the Provisional Government—the temporary fourth of July declaration, I may call it, of the French people lays down many of the just principles of human freedom, which will find a responsive echo in this country."

On the 31 of May a bill passed the Senate "granting to the State of Illinois the right of way and a donation of public lands, for making a railroad connecting the upper and lower Mississippi with the chain of northern lakes at Chicago." The bill gave rise to an animated discussion, in which the power of the General Government to commence and carry on a general system of internal improvements was discussed. General CASS supported the bill, and contended that while the General Government has no power to make any railroad or canal through any State, it clearly has the power to dispose in any manner of a portion of the public domain to raise the value of the rest. He said: "As I intend to vote for this bill, I wish to say a very few words in regard to it. The subject has been often before the Senate; and the Senator from Connecticut (Mr. Niles) has often reiterated his scruples, taking the same ground that he has taken to-day and carefully avoiding the ground upon which the bill rests. This bill does not touch the question of internal improvements at all. It asserts no right on the part of this Government to lay out a road, or to regulate the construction of a road. The Federal Government is a great landholder; it possesses an extensive public domain; and we have the power, under the Constitution, to dispose of that domain; and a very unlimited power it is. The simple question is, what disposition we may make of the public lands? No one will contend for the doc

trine that we cannot give them away to a State. As the Senator from Kentucky (Mr. Crittenden) has said, every President has signed bills asserting the principle that these lands may be disposed of by the General Government, without restriction as to the purpose of such disposition. We may bestow them for school purposes, or we may bestow a portion for the purpose of improving the value of the rest. What right have you to sit still and see your lands growing in value, through the instrumentality of individuals, without rendering any aid in furtherance of that object? It is the settlement of the lands that makes them valuable. It is the settler who converts the howling wilderness into fruitful fields. It is the labor and enterprise of the settler that has given you in the west a magnificent empire, and one which has arisen within so brief a period that it is almost incomprehensible. When I told the story in Europe that I had crossed the Ohio when there were scarcely twenty thousand people in that country, and that it now contained five millions, they did not laugh in my face, to be sure, but they did not believe what I said. There is no parallel in the history of man—no such splendid tribute to human industry and enterprise—since the first man went out of the garden of Eden. It is not twenty-five years ago that I sat all night in a canoe at the head of the pond at Chicago, there being no human habitation in which we could obtain shelter, from the mouth of the Illinois to the mouth of the Chicago river; and now it is one of the great highways of travel between the northern lakes and the ocean. Sir, I hope the gentleman will put this upon its true ground, leaving out the constitutional question, and taking alone into consideration what is your duty as landholders in a new country—a country, too, which must derive its improvement from the industry and enterprise of your own population, where every stroke of the woodman's axe redounds to your advantage. The man who sits down with his family in the wilderness to make for himself a home, evinces more moral courage than the man who goes into battle. No man who has not experienced the difficulties and dangers he has to encounter, can estimate them. I appeal to the Senator from Connecticut to look at it in this point of view. He is from an old country, where such improvements have been ready-made to his hands by his great-great-grandfather. Roads have been made and bridges built for his accommodation; but he must recollect that his contemporaries, his friends around him, his children, perhaps, are going into this new country and enduring privations to make that valuable which was not so before."

Early in May the President laid before Congress the correspondence had between our Secretary of State and the Commissioner from Yucatan relative to the condition of that country, and the course pursued by the blacks in murdering the white population, pillaging and burning the towns, and soliciting Congress to devise some measures for their relief. Subsequently the Committee on Foreign Affairs of the Senate reported a bill to enable the President to take temporary military possession of Yucatan. General Cass advocated the report of the Committee. In regard to the principle advanced by Mr. Monroe, and reasserted by Mr. Polk, which denounced any future attempt of the European powers to establish new colonies in this country, General Cass considered it "a wise measure, fully justified by received principles of the law of nations, and by the actual circumstances of our country." In reference to the bill proposed he said:

"I prefer, sir, the bill reported by the Chairman of the Committee on Foreign Affairs, to the amendments proposed. I do so because, among other reasons, I like to call things by their true names. The bill expresses clearly the objects we have in view, and the motives which influence us. And our operations under it may be continued till the conflict is terminated, or till the Mexican Government can interpose with sufficient vigor for the protection of the Yucatec people. And a peace with Mexico would not thus compel us to retire before the Indians at the very moment the exigency might be the most urgent.

"Some objection has been made to the provision for the *armed occupation of the country*. I do not object, sir, either to the expression or to the power. If

we go to Yucatan at all, we must go there not as subordinate allies, but with a right to control and direct all the operations we may deem necessary. Assuredly we could not think of placing our officers under the authority of the Yucatec Government, timid and incompetent as that Government has shown itself. And it ought to be distinctly understood, that wherever our forces move in Yucatan, during this period of convulsion, they move with a right to take any positions they may deem expedient, and to carry on all the operations which circumstances may require. I have not had an opportunity carefully to examine the amendments, having only heard them read, but they seem to indicate our proper course of action less satisfactory than the original bill itself."

CHAPTER XI.

As the time approached for the assemblage of the Democratic National Convention, the current of opinion in the great Democratic party gradually but steadily settled upon General CASS as the Democratic candidate for the Presidency.

The Convention convened in Baltimore on the 22d day of May. Hon. Andrew Stevenson, of Virginia, was selected to preside over its deliberations. After an elaborate discussion for three days, relative to the contested seats of the New York delegates, and the adoption of rules, &c. the Convention proceeded to ballot, and upon the fourth ballot General CASS received 179 votes, (being more than two-thirds of the votes cast, which was necessary, under the rules, to a choice,) and was therefore declared to be the nominee of the Convention.

As a matter for future reference, we here insert the state of the various ballots :

First Ballot.—CASS, 125 ; Buchanan, 55 ; Woodbury, 53 ; Calhoun, 9 ; Worth, 6 ; Dallas, 3. (Florida and New York not voting.)

Second Ballot.—CASS, 133 ; Woodbury, 56 ; Buchanan, 51 ; Worth, 5 ; Dallas, 3. (Florida and New York not voting.)

Third Ballot.—CASS, 156 ; Woodbury, 53 ; Buchanan, 40 ; Worth, 5. (New York not voting.)

Fourth Ballot.—CASS, 179 ; Woodbury, 38 ; Buchanan, 33 ; Butler, 3 ; Worth, 1. (New York not voting.)

The announcement of the result by the President of the Convention was followed by enthusiastic applause. The members of the various delegations almost universally springing to their feet, and uniting in one spirit-stirring shout of approbation.

General CASS is now the candidate of the Republican Democracy of the United States for the highest office within the gift of the American people. Endowed by nature with great physical and mental energy, the latter highly cultivated and enlightened by science and experience, he has never eluded responsibility, lacked wisdom, or wanted promptness in decision. His frank independence and candor, as the man's whole political career gives evidence, are equalled only by the proud genius which has steadily raised him in the popular esteem, to the highest station under our Government, until he stands invested with the confidence and regard of the entire National Democracy. He has served his country, and he is capable of serving her again. He has served her in the war of 1812. He has served her abroad at a most important crisis. He has served her in the public councils at home. He is a statesman of enlarged experience—of extensive attainments—honest in his principles—pure in his private life—amiable in his manners—faithful to his friends—liberal to his opponents. "Trusted in various respectable and responsible offices by Madison, Monroe, Jackson, and Van Buren, and honored with the confidence of Polk, we trust he will not prove himself unworthy or incompetent to tread in the footsteps of these distinguished predecessors."





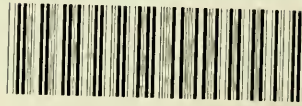
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